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Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Combined fourth, fifth, sixth and seventh periodic report of States parties

Uganda*

* The present report is being issued without formal editing.

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Please recycle

Acronyms and abbreviations

ACFODE	Action for Development
AMwA	Akina Mama wa Afrika
ANC	Ante Natal Care
ANPPCAN	African Network for the Prevention and Protection of Children Against Abuse and Neglect
ART	Anti – Retro Treatment
ARVs	Anti – Retro Virals
AUPWAE	Association of Professional Women in Agriculture and Environment
AWEPA	African Women's Parliament
CEDAW	Convention on the Elimination of Discrimination Against Women
CEDOVIP	Centre for Domestic Violence
CEEWA	Council for Economic Empowerment of Women in Africa
CSOs	Civil Society Organisations
CWLA	Common Women's Legislative Agenda
DDP	District Development Project
DFID	Department for International Development
DPP	Directorate of Public Prosecutions
DRB	Domestic Relations Bill
EASSI	Eastern African Sub–regional Support Initiative
EmOC	Emergency Obstetric Care
EOC	Equal Opportunities Commission

FALP	Functional and Adult Literacy Program
FAO	Food and Agricultural Organization
FGM	Female Genital Mutilation
FIDA – U	Uganda Association of Women Lawyers
FOWODE	Forum for Women in Democracy
FP	Family Planning
FPAU	Family Planning Association of Uganda
FSI	Female Scholarship Initiative
GoU	Government of Uganda
HCT	HIV Counseling and Testing
HSSP	Health Sector Strategic Pian
ICEIDA	Icelandic Development Agency
IDPs	Internally Displaced Persons
IPT	Intermittent Preventive Care
IRI	International Republican Institute
ITN	Insect Treated Nets
JLOS	Justice Law and Order Sector
JSC	Judicial Service Commission
LABF	Legal Aid Basket Fund
LAC	Legal Aid Clinic
LASPNET	Legal Aid Service Providers Network
LAW – U	Law and Advocacy for Women in Uganda
LCCs	Local Council Courts

LGDP	Local Government Development Plan
LRA	Lord's Resistance Army
MAAIF	Ministry of Agriculture, Animal Industry and Fisheries
MARPS	Most At Risk Populations
MDG	Millennium Development Goals
MFIs	Micro Finance Institutions
MGLSD	Ministry of Gender, Labor and Social Development
MIA	Ministry of Internal Affairs
MoES	Ministry of Education and Sports
MoFPED	Ministry of Finance, Planning and Economic Development
MoLG	Ministry of Local Government
NAADS	National Agricultural Advisory Services
NAPW	National Action Plan on Women
NAPW	National Action Plan on Women
NARO	National Agricultural Research Organisation
NAWJ	National Association of Women Judges
NAWOU	National Association of Women's Organisations in Uganda
NCW	National Council of Women
NDI	National Democratic Institute
NORAD	Norwegian Agency for Development Cooperation
NSP	National Strategic Plan
NUSAF	Northern Uganda Social Action Fund

OPM	Office of the Prime Minister
OVC	Orphans and Vulnerable Children
PDAU	Public Defenders' Association of Uganda
PEAP	Poverty Eradication Action Plan
PEAP/GG	Poverty Eradication Action Plan/Gender Group
PFA	Prosperity For All
PHAs	People Living with AIDS
PIASCY	Presidential Initiative on AIDS Strategy for Communication to Young People
PMA	Plan for Modernisation of Agriculture
PMAU	Poverty and Monitoring Analysis Unit
PRDP	Peace and Recovery Development Plan
PWDS	People With Disabilities
REACH	Reproductive Educative and Community Health
SACCO	Savings and Cooperatives
SGBV	Sexual and Gender Based Violence
SRH	Sexual and Reproductive Health
STF	Straight Talk Foundation
UAC	Uganda Aids Commission
UBOS	Uganda Bureau of Statistics
UBOS	Uganda Bureau of Statistics
UEDCL	Uganda Electricity Distribution Company Limited
UHRC	Uganda Human Rights Commission

UIA	Uganda Investment Authority
ULRC	Uganda Law Reform Commission
UN	United Nations
UNCDF	United Nations Capital Development Fund
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNHS	Uganda National Household Survey
UNSCR	United Nations Security Council Resolution
UPDF	Uganda Peoples Defence Forces
UPE	Universal Primary Education
UPF	Uganda Police Force
UPPAP	Uganda Participatory Poverty Assessment Process
UPS	Uganda Prisons Service
URA	Uganda Revenue Authority
UWONET	Uganda Women's Network
UWOPA	Uganda Women's Parliamentarian Association
VAGs	Voluntary Action Groups
VAW	Violence Against Women
VCT	Voluntary Counseling and Testing
VSLA	Village Savings and Loans Association
WSC	Water and Sanitation Committee
WUC	Water Users Committee
YEAH	Young Empowered and Healthy

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1.0 Introduction

Socio-economic and Political Context

1. NRM Government leadership has been characterized by political stability achieved through the development of a new Constitution passed in 1995, based on the frame work of rights and giving particular attention to the status of women. The Poverty Eradication Action Plan (PEAP) has been implemented since 1997 as the policy framework guiding the country's development priorities to reduce poverty. Uganda has seen a considerable reduction in poverty from 56% in 1992 to 31% in 2006.

2. A 5- Year National Development Pan (NDP) is being developed in succession of PEAP under the theme: "Growth, Employment and Prosperity". The medium term objective of the government is to achieve average GDP growth rate of at least 8% per annum. In the Financial Year 2007/8, the economy grew by 8.9% and real GDP is projected to grow at 8.1% in the current Financial Year 2008/9. Two years ago, half of Uganda's budget was supported by development partners. With the steady growth in economic performance, domestic revenue now supports 66% of the national budget.

3. The government is committed to re-directing public investment to the critical growth sectors, which include human development, industrial development, agriculture and infrastructure (roads, telecommunications & energy), which will lead to productivity enhancement. Expenditure will therefore be focused on areas that will increase employment opportunities and accelerate investment in vital infrastructure through public-private partnerships

4. Uganda's population is 30.6 million (2009). Women constitute 51% of the population, and 88% of Ugandans are rural based. Life expectancy at birth is 50 years and the average population growth at 3.2% remains one of the highest in the world. Whereas this provides a strong labour force, it has put enormous strain on the government's ability to address issues of access and quality service delivery. The abolition of graduated tax has increased local governments dependence on central government transfers and has to some extent limited their ability to provide and monitor service delivery.

5. Uganda has benefited from a strong period of growth since the-1990s. GDP per capita has grown by 2.7% per annum since 1990/91 enabling the country to restore relatively stable economic and social conditions. The economy of Uganda is still highly dependent on the agricultural sector, which accounts for less than 40% of GDP but employs around 80% of the labour force. Although the agricultural sector has not attained the anticipated levels of growth, improvements in extension and advisory services have contributed to a raise in farm incomes. In addition there has been an increase in rural people finding off-farm sources of income. Although there have since been some fluctuations in the growth rate from an average of 6.3% in

1998-2003 to 5.8% in 2003-06, the depth of extreme poverty has improved. There however, remain significant disparities within households, on account of gender as well as between rural – urban communities and regions. For example, poverty levels remain above the national average in the conflict affected areas. It is therefore plausible that if peace, which has been restored in the north prevails; the MDG goal of halving the proportion of people living in extreme poverty could be met.

6. Progress has also been registered on other human development indicators including an increase in school enrolment to 90% although there are challenges with retention; an increase in rural water coverage to 61%; a reduction in HIV/AIDS prevalence from 30% to 6%; a reduction in infant mortality from 87 per 1000 live births in 2001 to 75 in 2006; and maternal mortality from 505 to 435 during the same period.

7. Following a referendum in 2005, a multi-party dispensation has been restored in Uganda after 20 years. Consequently multi-party presidential and parliamentary elections were held in 2006. This new scenario has created both opportunities and challenges for women. While it expands the leadership spectrum for women as evident by the increase in the number of women in Parliament from 75 in 2001, to 100 in 2008, emerging challenges include the process of *engendering* the policies and structures of the different political parties; and **coalescing** women around women's issues above their party interests and priorities.

8. Government of Uganda is also actively participating in efforts aimed at strengthening regional integration. At the regional level new developments include processes leading to strengthening regional integration. These include revival of the East African Community (EAC) and subsequently the establishment of the East African Legislative Assembly with representatives from Burundi, Kenya, Rwanda, Tanzania and Uganda. There are nine Ugandan Representatives in the Legislative Assembly, four of whom are women. Regional integration provides new opportunities for the labour market and trade among others. For the people of Uganda and the region as a whole, this presents opportunities of engagement and cross-border trade. For the women, enjoyment of these benefits will very much depend on how well gender concerns are captured and addressed in the subsequent agreements.

9. Other developments that have occurred since the last status report of 2002 include concerted efforts by the GoU and other stakeholders to sign a Peace Agreement with the Lord's Resistance Army (LRA) in order to end the 20 year conflict in northern Uganda. Unfortunately the process has been dogged by several hitches mainly from the LRA and the process remains in the balance. Women and children have borne the brunt of the conflict and women in particular have been at the fore-front of sustaining the community and traditional social structures in the conflict affected regions. Because of this important role, efforts are underway to involve women in the peace building, reconciliation, rehabilitation and recovery processes as reflected

in the Peace Recovery and Development Plan (PRDP) 2007 – 2010 - a framework that is expected to guide the recovery and rehabilitation process in Northern Uganda.

10. **Uganda's Reporting Status to the CEDAW Committee**

Uganda ratified CEDAW in 1985 without reservations. Government of Uganda's commitment to adhere to the provisions of CEDAW has been demonstrated by the submission of Country Status Reports in 1992, 1999 and 2002 to the Committee. According to the CEDAW Committee's guidelines and report on the status of submission of reports by States Parties under article 18 of the Convention issued on 16th July 2008, GoU was expected to submit the Fourth periodic report in 1998 and subsequent reports in 2002, and 2006. This report therefore is a combined **fourth fifth, sixth, and seventh periodic report** for consideration by the CEDAW Committee.

11. The report is structured according to the sequence of articles in the Convention. Each article begins with a re-statement of the concern and recommendation of the CEDAW Committee during the meeting to consider Uganda's Third County Status Report held on 9th August 2002. Analysis of progress made by the GoU and other stakeholders in implementing the recommended action follows thereafter. The exceptions to this are Articles 4, 10, 13, 15 and 16 whereby no concern and corresponding recommendation was raised by the Committee but where the State Party had registered considerable progress. In this case, the progress made has been documented. Remaining and outstanding difficulties faced by the State Party in implementing provisions of the Convention are examined in addition to future, concrete measures and steps to overcome remaining factors and difficulties in implementation of the Convention.

1.1 Methodology for the preparation of the report

12. The methodology adopted entailed literature review of documents published by Government and CSOs. Consultations were also undertaken with Government Ministries and Departments agencies, NGOs and UN agencies. At the district level consultations were undertaken in 8 districts with the District Community Development Officers.[1] Regional consultations on the National Action Plan on the Implementation of CEDAW provided input to issues to be included in the report.

[1] The districts were Kapchorwa, Lira, Gulu, Bushenyi, Kasese, Kyenjojo, Kalangala and Soroti.

Article 1

Definition of Discrimination

13. During the reporting period the Equal Opportunities Commission (EOC) was established; and in a bid to strengthen constitutional provisions on the definition of discrimination, the EOC Act defines discrimination broadly to include:

Any act, omission, policy, law, rule, practice, distinction, condition, situation, exclusion or preference which, directly or indirectly, has the effect of nullifying or impairing equal opportunities or marginalizing a section of society or resulting in unequal treatment of persons in employment or in the enjoyment of rights and freedoms on the basis of sex, race, colour, ethnic origin, tribe, birth, creed, religion, health status, social or economic standing, political opinion or disability

2.0 Article 2

2.1 Obligation of the State to Eliminate Discrimination

14. The Committee expressed concern about the continued existence of national legislation that discriminates against women and the slow law reform process in spite of having in place constitutional provisions that promote equality between women and men and prohibit discrimination on the grounds of sex[2]. In addition the Committee was concerned about the slow progress in removing de jure discrimination and preventing and eliminating de facto discrimination.

The Committee therefore recommended acceleration of the law reform process to bring national legislation in tandem with the constitutional principles of non–discrimination and equality between women and men. In this regard it was further recommended that the enactment of the draft Land Act, Domestic Relations Bill (DRB) and the Sexual Offences Bill should be expedited. The Government of Uganda (GoU) was also enjoined to introduce public education and legal literacy campaigns on the provisions of the Convention and the Constitution to raise awareness on its international and national obligations to eliminate discrimination against women.

The Committee noted the prevalence of laws and customs that contravene constitutional guarantees on equality and the limited awareness and access by women on mechanisms to enforce constitutional provisions on non–discrimination. The Committee therefore recommended the adoption of an accessible complaints procedure to enforce constitutional guarantees and the introduction of legal literacy campaigns to make women aware of their constitutional rights and mechanisms of enforcement. The

[2] Article 21(1), 33(6), Constitution of the Republic of Uganda.

Committee further suggested the development in cooperation with women's groups, legal aid programmes to enable women to demand enforcement of their rights.

2.2 Measures taken to remove De Jure Discrimination

2.2.1 Progress registered by the State party and remaining difficulties

15. Considerable progress has been made by the State party in enacting legislation to address de jure discrimination although there's still room for improvement. Following intense lobbying[3] the Land Act 1998[4] was amended to include sections that increase protection of the rights of women to own, use and inherit land.

> Section 39A of the Land Amendment Act details security of occupancy on family land, while section 40 prohibits the sale, transfer, exchange, pledge, mortgage or lease of family land except with prior consent of the spouse.

Although the sections fall short of recognizing *co-ownership* of land between spouses as was desired by the pressure group,[5] they confer an equitable interest in family land to spouses i.e. through the consent clause. Women are now able to lodge a caveat on a certificate of title or certificate of customary ownership, indicating that a property is subject to a requirement of consent, prior to any sale and transfer of ownership. The co–ownership clause was relegated to the proposed law on domestic relations where it was deemed more appropriate.

16. The Act also protects the rights of women to use customary land.[6] Whereas the Act bestows legal recognition on the decisions taken by customary authorities in relation to land held under customary tenure, for such decisions to be valid they must not deny women access to ownership, occupation or use of land or deny them their rights. This provision is in consonance with Art 246 (4) of the Constitution which prohibits customs, practices, usages or traditions relating to a traditional or cultural leader which detracts from the rights of any person. This qualification is significant given previous reports of the customary authorities' subjectivity on account of traditional norms and attitudes towards women.

17. There are, however, some weaknesses that ought to be rectified in order to strengthen women's tenureship rights. The fact that the Land (Amendment) Act does not require for a spouse's consent to be in writing could jeopardize women's

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[3] From women's organisations land rights coalition spearheaded by the Uganda Land Alliance.

[4] Land (Amendment) Act 2004.

[5] The co–ownership clause which aimed at increasing women's security of tenure through joint owning of land with spouses was not passed because Parliament was of the view that it was more suited to the DRB. It was hence relegated to the DRB.

[6] S. 17 Land Act.

interests in land. This observation is vindicated by the common practice where buyers of land who have failed to adduce evidence of written consent have adduced oral evidence which has been accepted by courts and local authorities.[7] The process of acquiring certificates of ownership, which is vital for effecting the *'security of occupancy clause'*, has also not been widely disseminated particularly to communities in the rural areas. This increases women's vulnerability to land evictions.

18. Progress on the Domestic Relations Bill (DRB) has been slowed after it was withdrawn to allow for further consultations, following protests from sections of society on some contentious clauses[8]. The proposed law seeks to reform as well as consolidate the laws relating to marriage, separation and divorce. The Uganda Law Reform Commission (ULRC) was tasked to reconcile the interests of different stakeholders and has since split the draft Bill into two pieces of legislation: the first Bill contains provisions on Civil, Christian, Hindu and Bahai Marriages; whereas the second Bill provides for the establishment of Khadi Courts to deal with matters relating to Islamic Marriages and Divorce. A draft Bill will be presented to the Attorney General for tabling before Cabinet.[9] Suffice to note that these delays have not deterred lobbying by MGLSD, UWOPA, Gender Sessional Committee and the Equal Opportunities Standing Committee of Parliament for a fair and just family law.[10]

19. CSOs have also been actively involved in advocacy for enactment of a fair family law under the DRB coalition. With regard to the proposed Bill on Domestic Relations there are on-going initiatives[11] to ensure that women, regardless of their religions, are accorded their full rights in marriage and its dissolution.

20. The position adopted by the ULRC as regards enactment of the Sexual Offences Bill is to amend sections of the Penal Code Act in response to some of the proposals put forward in the Bill. This amendment addresses the concerns raised by the Committee in particular with regard to marital rape and availability of redress and protection and prosecution of offenders. The Sexual Offences (Miscellaneous Amendments) Bill 2004 recognizes the criminal offence of marital sexual assault and provides that a person convicted of marital sexual assault shall, in addition to a sentence of imprisonment or a fine, be ordered to compensate a victim. Such amount of

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[7] UWONET (2006) Gender Audit of Key Laws Affecting Women in Uganda.

[8] Objections were raised in regard to the clauses on co-habitation, polygamy, co–ownership of matrimonial (particularly land) and marital rape.

[9] Interview with Prof. Kakooza, Chairperson, Uganda Law Reform Commission, 10th February 2008.

[10] MGLSD is currently involved in raising awareness on the problems in domestic relations on a pilot basis for purposes of mobilising support for the enactment of the DRB.

[11] UWONET is studying and identifying opportunities for strengthening women's rights within the framework of the Sharia law.

compensation shall take into account factors such as medical and other expenses incurred by the victim.

21. The Employment Act, 2006 is another piece of legislation that contains provisions that seek to address discrimination against women in the field of employment. (the provisions of this Act are discussed in detail under Art .11).

22. Other significant measures to eliminate de jure discrimination include the enactment of the Equal Opportunities Commission Act-2007 and the National Equal Opportunities Policy.

The Act derives its mandate from Arts 32 (3), (4) and 21 of the 1995 Constitution of Uganda which require Parliament to make laws to establish the Equal Opportunities Commission (EOC) and provides for the equal treatment of women with men, respectively. The EOC Act provides a legal basis to challenge laws, policies, customs, traditions, etc. that discriminate against women

Progress with regard to operationalising of the EOC entails nominating five commissioners who are soon to be appointed and an initial budget allocation in FY 2008/9 to the tune of Ushs. 1 billion.

23. CSOs[12] have been instrumental in using strategic litigation to successfully challenge existing laws that discriminate against women. Chief among these laws are the Divorce Act with particular reference to the grounds for granting a divorce, Penal Code Act in particular the provision on Criminal Adultery and the Succession Act.

The Divorce Act required women to prove two grounds when petitioning court for divorce while a man was required to prove only one ground.
The Penal Code Act had different definitions for the offence of criminal adultery for women and men. The definitions effectively approved for a married man to have sexual intercourse with any woman provided they are not married, while married women were prohibited from having sexual intercourse with any man regardless of their marital status.

The provisions in the Succession Act on heirship, distribution of intestate estates, appointment of a testamentary guardian, choice of domicile and remarriage while in occupancy of the matrimonial home, were also challenged as discriminating against women.

[12] LAW – Uganda.

24. The Constitutional Court has declared provisions of these laws unconstitutional as they contravened constitutional principles of non-discrimination and equality between the sexes.[13] The Attorney General (AG) has tasked the Department of Administrator General, to come up with proposals on how to amend the sections in question which will then be tabled before Cabinet[14]. The amended provisions on adultery and divorce will be contained in the draft Bill on Domestic Relations.

25. The Attorney General has given his consent to Uganda to ratify the Optional Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women.

26. A key challenge that has been identified is the delayed follow up of constitutional court rulings and the protracted process of enacting the DRB. In absence of new amendments, judicial officers are making judgments on a discretionary basis which might not always be in the best interests of women.

27. Expediting the law reform process is therefore recognized as a matter of urgent priority by the State party.

2.3 Raising awareness on Government's international and national obligations to Eliminate Discrimination against Women

2.3.1 Progress registered by the State party and remaining difficulties

28. Another significant development is the adoption of the first National Action Plan for monitoring the implementation of CEDAW for the period 2007 – 2010. The National Action Plan is framed against the context of CEDAW Committee's recommendations adopted with respect to Uganda's Third Periodic Report and outlines specific activities and responsible actors for each recommendation. It is due to be reviewed on an annual basis.

29. The Ministry of Gender, Labour and Social Development has conducted regional awareness sessions on the provisions of CEDAW in addition to disseminating the National Action Plan on CEDAW. At district level, LCs, CSOs, judicial officers, etc. have participated in the elaboration of regional action plans for the follow-up of CEDAW recommendations.

30. Awareness sessions conducted by other Government Departments have contributed to the development of institutional mechanisms for promoting and protecting human

[13] UGANDA ASSOCIATION OF WOMEN LAWYERS, AND OTHERS Vs. THE ATTORNEY GENERAL; Constitutional Petition No.2 of 2003; LAW & ADVOCACY FOR WOMEN IN UGANDA Vs. ATTORNEY GENERAL; Constitutional Petitions Nos. 13/05 & 05/06; LAW & ADVOCACY FOR WOMEN IN UGANDA Vs. ATTORNEY GENERAL (supra).

[14] Interview with Deputy Attorney General, 11th January 2008.

rights of women in the Justice, Law and Order Sector. [15] These mechanisms include[16]:

- the Family and Child Protection Unit of the Uganda Police Force (UPF) which receives and handles complaints from women and children;
- Human Rights Desk in Prisons; and
- Directorate of Human Rights in the Uganda Peoples' Defence Forces (UPDF)[17] with a specialised unit to handle cases of women and children.

31. The State party has facilitated women's improved access to information on their constitutional rights through the creation of *Voluntary Action Groups* (VAGs) and district human rights desks whose members have been trained to conduct community awareness and legal literacy sessions in their communities.[18] Other activities include translation of materials into local languages.[19] Drama groups and male action groups are currently being utilized to disseminate the legal literacy materials. Legal literacy activities targeting IDPs have also been conducted.[20]

32. CSOs have also been actively involved in creating awareness on CEDAW provisions through training and designing and implementing programs to make women change agents by developing their capacity to question their status quo.[21]

33. The legal literacy campaigns of both the Government and CSOs have contributed to empowerment of women in terms of improved participation in governance, economic activities, improved maternal health, improved literacy rates, reduction of child marriages and increased reporting of rights' violation by women.

34. In spite of these interventions women are inundated with a number of challenges which constrain their efforts in enforcing their constitutional rights. These include; high poverty levels, low literacy rates, negative cultural practices, limited access to

[15] The UHRC has the constitutional mandate to create public awareness on the provisions of the Constitution in accordance with Article 52, Constitution of the Republic of Uganda, 1995.

[16] Interview with Dora Kabuye, Director, Research, Education and Documentation, Uganda Human Rights Commission, 30th January 2008.

[17] The UPDF and Prisons have also integrated human rights in the training curriculum for recruits and promotional courses.

[18] Topics covered have included political participation of women, right to inherit property, girl – child education, gender based violence, economic empowerment of women, women's health and reproductive rights.

[19] These include land, inheritance and maintenance of women and children, domestic violence which have been developed by the MGLSD.

[20] These were conducted by MGLSD in partnership with the UHRC in the districts are Kitgum, Gulu and Pader.

[21] ACFODE has developed a training manual titled, A Training Manual on Principles enshrined in the Convention on the Elimination of all forms of Discrimination Against Women; while NAWOU is implementing a program titled "CEDAW in a woman's everyday life."

resources and institutional weaknesses in law enforcement agencies. On the other hand, insufficient resources have restricted the coverage of key actors.

35. It is recognized that there is a need therefore, for increased coverage of awareness and conscious-raising programmes throughout the country and at all levels which the State party is committed to undertaking.

3.0 Article 3

3.1 The development and advancement of women

36. The Committee was concerned about the absence of comprehensive, systematic strategies and support mechanisms to facilitate sustainable implementation of the provisions of the Convention.

A comprehensive program of gender mainstreaming in all government ministries and a comprehensive awareness campaign which should also target civil servants on the provisions of the Convention was proposed.

3.1.1. Progress registered by the State party in Gender Mainstreaming and remaining difficulties

37. Gender mainstreaming activities have been undertaken at two levels – national and local government. At the national level, the State Party is currently conducting *gender and equity budgeting* training for relevant sector officials.[22] Training materials on gender and equity budgeting have also been developed for sectoral planning staff and facilitators.[23]

38. Gender mainstreaming efforts have resulted into the inclusion of gender and equity budgeting guidelines in Budget Call for local government and sectors. Consequently gender mainstreaming is included as one of the criterion in the assessment of Local Government Development Plans (LGDP). In a bid to further strengthen gender budgeting, the State Party has generated gender disaggregated data in health, education, access to productive resources and employment.[24]

39. Gender mainstreaming in the Poverty Eradication Action Plan (PEAP) has also been undertaken during the reporting period. The PEAP is the comprehensive national development planning framework aimed at guiding policy actions to eradicate poverty in Uganda. Integration of gender in the PEAP has included formation of the

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[22] MGLSD in partnership with the Poverty Monitoring and Analysis Unit in the Ministry of Finance, Planning and Economic Development.

[23] These manuals are titled, How to Prepare a Budget Framework Paper that addresses Gender and Equity Issues, Users Manual, MoFPED, MGLSD, May 2006; and Budgeting for Gender and Equity: A Manual for Facilitators.

[24] David Lawson, Gender Analysis of the Ugandan National Household Surveys, October 2003.

PEAP Gender Team (which has been renamed as the Gender and Rights Sub-Committee) which has facilitated the process of gender mainstreaming. This has been implemented through the commissioning of studies that made a strong case for mainstreaming gender in the PEAP and development of an action plan to guide engagements with sectors and institutions implementing in the PEAP.

40. An evaluation of the process of mainstreaming gender within the PEAP established that there was varied progress with regard to the extent to which gender issues have been addressed in the PEAP, as well as the effectiveness of the gender strategies employed to implement them.[25] The findings with regard to lessons learnt will feed into the process of formulating the National Development Plan (NDP) which will replace the PEAP in the Financial Year 2009/10.

41. Progress has been registered in mainstreaming gender in agriculture, road, education, justice, law and order sector and health sectors of the PEAP. Gender mainstreaming efforts in the education and health sectors are discussed in detail in Arts. 10 and 12 respectively while those in JLOS are examined in Art 15.

42. Gender mainstreaming activities have been implemented in the agricultural sector to ensure that women participate in, and benefit from, agriculture on an equal basis with men. The Plan for Modernisation of Agriculture (PMA), which is the framework for modernizing agriculture, seeks to increase incomes and improve the quality of life of poor subsistence farmers through increased productivity and share of marketed production as one of its objectives. Gender mainstreaming interventions in this framework have included establishment of a PMA Gender Technical Sub-Committee (which has been renamed the Poverty and Gender Sub–Committee since 2005) which has prepared a gender position paper, commissioned the development of guidelines for mainstreaming gender within the 7 pillars of the PMA[26] and Gender Policy Briefs for the PMA, undertaken gender surveys and extended support to the development of the National Agricultural Advisory Services (NAADS) Gender Strategy.

43. The road sector has mainstreamed gender in its policy documents with technical support from MGLSD and financial support from Danida. Implementation of gender mainstreaming in the road sector have resulted into an increment in the number of women participating in labor based road construction works. For example, the proportion of female contractors and forepersons has increased from 10 per cent to 30 per cent. Similarly, there has been an increase in the number of women who are employed as both skilled and unskilled labourers in roads construction.

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[25] Evaluation of Gender Processes and Outcomes in Uganda's Poverty Eradication Action Plan (PEAP) 2004 – 2008 (Draft Report).

[26] These include Agricultural research and technology development; Agricultural advisory services; Rural financial services; Agro-processing and marketing; Agricultural education; Sustainable natural resource management and use and Supportive physical infrastructure.

44. At local government level, gender mainstreaming efforts have focused on developing the capacity of local government officials to integrate gender in their district development plans and budgets.[27] Efforts have also been targeted at putting in place institutional mechanisms to support the gender mainstreaming process. Such institutional mechanisms include the Uganda Gender Forum, Gender Mainstreaming Task Force, Women Leaders Forum and the District Gender/Women Leaders Fora. Significant achievements attributed to gender mainstreaming efforts at local government have been registered in the following sectors in the district project areas: [28]

Primary Education

- A staffing structure that reflects gender parity - Promotion of women to positions of head and deputy head teachers
- Construction of staff quarters for female teachers under the School Facilities Grant taking into account their family management responsibilities
- Putting in place gender responsive facilities in primary schools such as construction of separate sanitation facilities for girls and boys
- Engendering the school environment by appointing women as school counselors

Health

- Provision of user- friendly services at health centres for female attendants of patients such as construction of water tanks, incinerators and provision for cooking space
- Targeting men's participation in reproductive health programs

Works and technical services

- Putting in place affirmative action for firms whose employees are either predominantly women, or women occupying top management positions during the tendering process
- Promoting labor based road works to enable female owned firms qualify

Finance and Administration

- Ensuring gender parity in technical positions. For example in Kayunga district the ratio of female to male heads of department and sub–county chiefs is 4:5
- Targeting women firms to collect taxes in some district

[27] Jane Ekapu, Status of DDP II Gender Mainstreaming Component, February 2007.

[28] The districts were Arua, Yumbe, Kayunga, Mukono, Jinja, Kabale.

Community Based Services

- Institutionalization of a gender mainstreaming task force that articulates gender issues
- Establishment of a Pre–Budget Women Caucus which has been instrumental in identification of gender specific interventions
- Institutionalization of gender mainstreaming interventions such as annual Gender Concern Analysis; Gender Status Index; Gender Analysis of Poverty Trends; all of which have been utilized for effective gender responsive planning

45. The creation of the Department of Women and Gender Studies of the Faculty of Social Sciences in 1991 is viewed as strategy at mainstreaming gender at Makerere University. The Department's mission is to provide the intellectual leadership for mainstreaming gender in all aspects of economic, political and socio–cultural development at the university. The department is credited for offering a gender studies curriculum.

46. Related to these developments is the creation of the Gender Mainstreaming Program (GMP) and the corresponding Gender Mainstreaming Division (GMD) at Makerere University. The Senate Standing Committee on Gender Mainstreaming, which is the key policy making body on gender issues and has oversight function over the GMP, has been instrumental in engendering the University's strategic planning process. The GMD is credited with commissioning a study titled "***Situational Analysis of the Gender Terrain at Makerere University***"; which identified gender inequalities and recommended interventions for reduction of gender inequalities. Sensitization sessions for new university students during the orientation week have been spearheaded by the GMD.

47. The State Party's commitment to implementation of the Beijing Declaration and Platform for Action has been demonstrated by the development of two National Action Plans on Women (NAPW), 1999–2004 and 2006–2010. The goal of the revised NAPW is to achieve equal opportunities for all women in Uganda by empowering them to be active participants and beneficiaries of the social, economic and political developments in Uganda. The NAPW identifies five critical areas for action which should result in women's empowerment and advancement. These are legal and policy framework and leadership; social and economic empowerment of women; reproductive health, rights and responsibilities; girl child education; peace building, conflict resolution and freedom from violence.

48. In a bid to strengthen the implementation and monitoring of the NAPW, key actors under each strategic action have been identified in addition to strengthening the capacity of the Ministry of Gender, Labor and Social Development (MGLSD). Progress on implementation of the NAPW to date entails distribution of copies of the guidelines for implementing and monitoring the NAPW to key stakeholders such as districts, Government Ministries, Departments/Agencies CSOs, academic institutions and representatives of the Private Sector. Training on use of the guidelines has been conducted for local government actors.

49. CSOs have also been actively involved in implementing gender mainstreaming initiatives.[29] Significant achievements attributed to their gender mainstreaming interventions are similar to those registered by the State Party.

50. A number of gaps still exist with regard to implementation of gender mainstreaming initiatives. At the national level, failure to follow guidelines for mainstreaming gender by the PMA line Ministries has resulted into uncoordinated gender mainstreaming efforts. Lack of indicators for monitoring and evaluation has made it difficult to assess impact attributable to gender mainstreaming efforts in the road sector.

51. At local government level there is limited availability of gender disaggregated data for effective program design, lack of standard gender analysis tools and, as a consequence, many programmes implemented at that level do not necessarily address women's priority concerns. In addition, implementation of gender mainstreaming at local government is still weak; given that resources are rarely allocated to implement gender mainstreaming initiatives.

52. In a bid to further strengthen gender mainstreaming; the State Party will continue with capacity development of relevant technical officers, development of sector specific gender mainstreaming guidelines and generation of gender disaggregated data.

53. The State party has drafted an Auditor General Bill; which contains provisions for conducting a gender audit to track budgetary allocations and expenditure.

4.0 Article 4

4.1 The acceleration of equality between women and men

4.1.2 Progress registered by the State party and remaining difficulties in implementing Affirmative Action

54. A number of appropriate measures have been taken by Government in the sector to ensure the full development and advancement of women for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

Affirmative Action in Political Representation is discussed in Art. 7

55. Art. 78 (1) (c) of the Constitution provides for representation of special interest groups such as youth (two of whom must be women), persons with disabilities and workers.

56. The Uganda Gender Policy, a revision of the National Gender Policy of 1997, and approved by Cabinet in 2007. This policy provides a framework for identification, implementation and coordination of activities designed to achieve gender equality.

[29] The CSOs include, FOWODE, Akina Mama wa Afrika, EASSI, AUPWAE.

57. Implementation of affirmative action strategy for special interest groups has resulted into Parliamentary representation of these groups. These include the youth (two of whom must be women), persons with disabilities and workers. Corresponding bodies such as the National Women's Council (NWC) and National Youth Councils have also been constituted and have provided an important forum for raising and addressing issues of concern to women. The NWC has been actively involved in implementing interventions that have facilitated the socio-economic development of women through capacity building and awareness raising.

58. Affirmative action has been extended to the composition of constitutional commissions, including the Sempebwa Commission that reviewed the 1995 Constitution in 2001. Women were appointed as Commissioners, Assistant Lead Counsel and Assistant Secretary.

59. Affirmative action has been implemented in the water and sanitation sector in a bid to address gender issues in the sector. In order to ensure meaningful involvement of women in the sector, the Water and Sanitation Policy and corresponding Water Sector Gender Strategy reserve 50 per cent of the composition of Water User Committees and Water and Sanitation Committees at community level for women. In addition, the Policy encourages election of women to the position of Chairperson and Treasurer of the WUC/WSC to ensure empowerment of women in decision making and management processes at the community level. The WUC/WSCs are critical entry points for user involvement and participation in the water sector.

60. National Women and Youth Councils are still exploring how to position themselves in a multi-party dispensation given that they represent all women and youth irrespective of their political leaning.

61. Proposals are being considered to make a law guiding the Women's and Youth Councils on how to operate within a multi–party dispensation. The need to develop indicators to assess the quality and extent of women's participation in the User Committees in the water and sanitation sector has been acknowledged.

5.0 Article 5

5.1 Sex roles and stereotyping

62. *The Committee expressed concern about the persistence of patriarchal patterns of behaviour and the existence of stereotypes in relation to the role of women in the home and society, and expectations of women's subordination to men.*

The Committee recommended the revision of school text books and curricula at all levels of the education system. The Committee further proposed awareness raising and public education campaigns targeting women and men to address traditional stereotypes regarding the role of women. In addition the GoU was tasked to assess the impact of these measures in order to identify shortcomings and improve them accordingly.

5.1.1 Progress registered by the State party in eliminating Gender Stereotyping and remaining difficulties

63. Art. 33. (1), (2) and (4) of the Constitution seek to eliminate discrimination against women in the political, economic and social spheres of life and below are interventions which seek to implement the constitutional provisions.

64. A Gender in Education Policy is being formulated by the Ministry of Education and Sports (MOES), to address gender concerns in the education sector. The overall goal of the Policy is to achieve gender parity at all levels of education and aims at gender equality in terms of opportunities, benefits and outcomes in the education and sports sector. Envisaged strategies to address gender stereotyping in the learning environment include engendering the education curricula and operationalising the Guidelines for mainstreaming gender in education. Proposed activities to be implemented include: designing gender responsive teaching, learning materials, methods and facilities, sensitization of publishers on gender, development of gender sensitive language, rules and practices and ensuring equity in the classroom.[30]

65. MOES is also developing a handbook to guide primary school teachers on how to create a gender responsive learning environment. The handbook provides a background to gender issues in the society and how they impact on the learning process. It highlights areas that require specific attention at school and community levels in order to minimise barriers to education that arise from gender imbalance or neglect of the gender issues. The handbook is intended to help stakeholders in education; focusing on the teacher to create a gender responsive learning environment. It points out some of the gender related issues at school, at home, in the community and the challenges they pose to children's participation in the learning process. It suggests strategies that can be employed and practical action that can be undertaken by the teacher, with active involvement of pupils and community members, to reduce gender inequality and enhance learning.

66. During the reporting period, UHRC has developed a Human Rights Reader for primary schools.[31] The Reader among other human rights concerns addresses issues of rights of the girl child. A taskforce to oversee the implementation of the Plan of Action for human rights education in the school system has been constituted. Plans include mainstreaming human rights education at all levels of education. A National Human Rights Education Coalition to spearhead implementation of the first phase of the Plan of Action will be established soon.[32] In addition, a concept note on the national implementation of the World Programme for Human Rights in Education has been formulated. The program will include human rights education in primary and secondary schools.

67. Legal literacy activities discussed under Art. 2 have contributed to addressing traditional stereotypes regarding the role of women.

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[30] The Draft Gender in Education Policy, Ministry of Education and Sports, January 2008.

[31] The Uganda Human Rights Commission under its Human Rights Education Program.

[32] Uganda Human Rights Commission, 9th Annual Report.

68. Patriarchal patterns of behaviour still exist and the levels of discrimination against women remain relatively high. This discrimination is reflected in the following spheres of life:

- Economic – preference for male to female employees
- Political–restricting women to middle level political positions
- Access to information
- Social and cultural–discrimination against women and girls with regard to inheriting property; preference of boy to girl–child education; expelling pregnant school girls from school without corresponding action on boys and relegating responsibility for domestic chores to women and girls.

69. Implementation of the Gender in Education Policy and putting the handbook into use by school teachers will contribute to efforts to address gender stereotyping in the learning environment.

6.0 Article 6

6.1 Suppression of the exploitation of women

70. The Committee expressed concern about the increasing levels of exploitation of female prostitutes. Another area of concern was the prevalence of HIV/AIDS and other sexually transmitted diseases among female prostitutes.

The Committee proposed the development of programmes targeting female prostitutes whose main focus should be to improve their socio–economic status in terms of providing appropriate health care facilities and services and alternative income generating activities. In addition stronger penalties for exploitation of female prostitutes were suggested.

6.1.1 Progress and remaining difficulties registered by the State party in providing assistance to Female Prostitutes

71. The increasing focus on female prostitutes has come about as a result of the HIV/AIDS pandemic. The National HIV and AIDS Strategic Plan (NSP) 2007/8 – 2011/12 recognizes female prostitutes as one category of the *most at risk* groups[33] which are extremely vulnerable to HIV/AIDS. The NSP recognises that by the nature of their work, female prostitutes have numerous sexual partners which places them at high risk of contracting HIV/AIDS and other sexually transmitted infections. Two surveys conducted over a two year period (2001–2003) showed a 75% increase in HIV prevalence among this category of women. Another survey[34] showed an STD prevalence rate of 59.6% and hence the need for urgent and specific interventions.

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[33] High risk groups include: Female prostitutes and their clients, the military (uniformed services), people engaging in 'transactional' sex, truckers, fishermen, people who use condoms inconsistently, people engaging in multiple sexual relations, and people engaging in extramarital sexual relations.

[34] The 2003 Ministry of Health's Sero Survey on HIV/Aids and STIs.

Table IV: Cross sectional surveys conducted among Female Prostitutes in Kampala

Year of Survey	*No of Female prostitutes involved in survey*	*% of those found to be HIV positive*	*Age–group with highest prevalence rates*
2001	195	28.2%	20-24
2003	216	47.2%	20-24

Source: Draft NSP 2007/8 – 2011/12

72. At the policy level, the NSP as part of its multi-sectoral & holistic approach to HIV/AIDS (prevention, care & treatment and social support) has identified the following strategies that could improve the welfare of female prostitutes and their access to health care:

- the development of prevention interventions targeting the *high risk* groups;
- the provision of *targeted* STI treatment services for these high risk groups which include female prostitutes;
- improve relevant legislative and policy framework that promote the support of vulnerable groups and criminalizes deliberate transmission of HIV and AIDS; and
- provision of formal and informal education, vocational and life skills development for OVC, PHAs, IDPs, PWDs and other disadvantaged groups

73. In terms of health care, the Government has instituted a policy for free STI treatment in all government health care facilities from which female prostitutes can access care & treatment. HIV/AIDS Counseling and Testing (HCT) and STI treatment is available in public health care facilities across the country. In addition, there are initiatives for scaling up HCT services to the *Most At Risk Populations* (MARPS) who include fishing communities, commercial sex workers, uniformed personnel and sexually active youth in higher institutions of learning, by increasing the number of outreach services.[35]

74. Government's programmes are being supported by the complementary efforts of a number of Civil Society Organisations. CSOs are running clinics where female sex workers can access a range of occupational health and safety services at no or minimum cost.

75. It is recognised that many female prostitutes are in this business on account of their dire socio-economic circumstances. There are a number of on-going initiatives focusing on creating alternative income generating activities for women. Mainly implemented by CSOs[36], the programmes have included rehabilitation, skills/vocational training and enrolment in schools for some of the female prostitutes.

76. Legal literacy and equipping female prostitutes with information and knowledge on their basic human rights is also another area that some women organisations are embarking on.

[35] The AIDS Information Centre and Ministry of Health.
[36] UYDEL, ANPPCAN, Kids in Need, RHEMA.

Self-advocacy groups[37] by former female prostitutes have also been established and among others provide psycho-social support services, HIV/AIDS education and skills training for former sex workers.

77. However, the main challenge in reaching female prostitutes in all these programmes has been the *labeling* and stigma associated with prostitution; which therefore makes it difficult for female prostitutes to identify themselves and seek support and assistance where they need it. Even groups established to, among others, advocate for the rights of female prostitutes e.g. freedom from harassment and fear of arrest; and equal access to health care, are yet to do so effectively. There are on-going efforts, albeit slow, to make reproductive health services as user friendly as possible. An approach that has worked successfully for CSOs has been through the use of prostitutes to mobilize their peers and a clinic that is dedicated to the prostitutes.

78. Recent proposals to legalise prostitution have been strongly resisted on account of the practice being at variance with the country's religious and cultural values. Sections 131-134 of the Penal Code Act of Uganda outlaws *acts associated with prostitution* and not the act of prostitution. However, female prostitutes are frequently arrested by the Police on account of being *idle and disorderly*. Plans are underway to review the provisions on idle and disorderly in the Penal Code Act.

79. Although they are not legally recognised, the Government acknowledges the existence of female prostitutes and its role in addressing their welfare needs as a special category of its citizenry. Government efforts are thus geared towards rehabilitation and provision of economic opportunities and alternative sources of income for female prostitutes outside the commercial sex industry.

6.2 Measures taken by the State party to curb trafficking and remaining difficulties

80. The country currently has no law on trafficking. However, the *Prevention of Trafficking in Persons Bill* has been tabled before Parliament. The Bill aims at criminalizing the offences of human trafficking as well as protection, assistance and support to victims of trafficking with full respect of their human rights.

- *Offenders engaged in trafficking shall be liable for imprisonment of five years upon conviction;*
- *Any member of the community who is aware of the practice but fails to report the matter to the Police shall be liable for imprisonment of six months;*
- *The Bill provides for the protection of victims through provision of medical and psycho-social support, repatriation, safe accommodation and in the case of children, education and other welfare needs.*

[37] Lady Mermaid.

81. As legislation is awaited, there are some on-going sensitisation/awareness activities[38] for the public, policy makers and law enforcement agencies.

82. There are, however, several challenges. There is general lack of public awareness and data on the prevalence of human trafficking. The practice has been fuelled by poverty, the lack of education and civil unrest. The other challenge in this area is the absence of a co-ordinating agency and the requisite skills within the law enforcement agencies. The absence of such skills has sometimes resulted into mishandling of trafficking cases; failure to recognise the plight of the victims; and sometimes criminalizing their trafficking situations.[39]

83. Capacity building through training for the institutions which handle matters of human trafficking is an area of priority in order to enable the effective identification, investigation, prosecution, and adjudication of human trafficking cases.

7.0 Article 7

7.1 Representation of women in the political and public life of Uganda

84. The Committee noted with concern the low numbers of women in decision-making positions inspite of implementing temporary measures aimed at addressing gender inequalities in political representation. The persistence of patriarchal attitudes that view men as natural leaders and thereby preclude women from seeking positions of leadership was another area of concern.

It was therefore recommended that efforts should be intensified to encourage women to take up leadership positions through further temporary measures in accordance with Article 4, Paragraph 1 of the Convention. It was further proposed that the GoU should offer or support programmes for current and future women leaders and undertake awareness-raising campaigns on the importance of women's participation in decision-making.

7.1.1 Progress registered by the State party in addressing Gender Inequalities in Political Representation

85. There have been some modest improvements in women's participation in the political and public life of Uganda, since the last status report. Women are more visible in formal decision-making institutions and the legislature has for the first time achieved the 30% minimum. The outcome of the 2006 election – the first under a multi-party dispensation, reflected a 35% increase in the number of women Parliamentarians, from 75 in 2001 to 100 in 2006 out of a total of 333 MPs. The number of women holding Ministerial positions, chairing Standing Committees in Parliament and holding senior positions in

[38] Conducted by LAW - Uganda and UWOPA.

[39] Damallie Lwanga: Human Trafficking in Uganda.

political party structures has risen. The number of women heading critical public bodies[40] has also risen.

Table V: Women in Leadership Positions

Women in Leadership Positions	2001 – 2005			2006 – 2008		
	F	*%*	*M*	*F*	*%*	*M*
Cabinet & Ministers of State	15		51	14	19%	58
Parliament	75	24.6	230	102	30%	231
Top Civil Service[41]				15	38%	24
Judiciary[42]				31.3%		68.9%
Local Government						
District Chairs and Vice Chairpersons	1	1.8	55	1	1.4%	68
Municipality (Local Council 111)	2			1	5.5%	17
Sub County Chairpersons	16		673	11	1.1%	969

Measures to increase women's representation in the political life of the country have included:

- *Affirmative action policy* which has expanded leadership opportunities for women. In addition to enabling them break through the *glass ceiling*, the policy has enabled women to exhibit their leadership capabilities and thereby challenge the negative stereotyping on women's leadership. As a result, more and more women have been encouraged to venture into politics. This is evident in the increased number of women competing for the open seats against their male counterparts during the 2006 elections, 15 of whom were successful. The same election had for the first time ever, a woman standing as a Presidential Candidate. This is a major break from the past where this position has been considered a male preserve; and it is expected to inspire more women into vying for the highest leadership positions.
- *Capacity building programmes* supporting women's political activities. Mainly championed by women's' organisations[43] and some district councils, a number of capacity building programmes have targeted aspirants and current women leaders in response to systemic barriers (limited education, experience, time poverty, leadership skills). Other institutions

[40] Uganda Revenue Authority, Uganda Investment Authority, Uganda Electricity Distribution Company Limited, the Inspectorate of Government.

[41] Permanent Secretaries, Under Secretary and Director level.

[42] Judges, Registrars, Magistrates.

[43] (AMWA/ ACFODE/FOWODE/UWONET/UWOPA.

have also organized capacity building initiatives targeting political parties with the intention of increasing women's profile within the party structures.[44] There have also been leadership development programmes for women parliamentarians aimed at increasing their effective participation and capacity to influence the inclusion of women's concerns in policy frameworks. Uganda Women's Parliamentary Association (UWOPA) has since become a strong lobbyist for women's representation on public boards and regional bodies.

- *Civic education activities* albeit limited, have increased communities' awareness on leadership issues in general and citizens' political rights. Other Government initiatives including the FAL and NAADs programmes which are implemented at the district level have boosted women's confidence to step out in the public and contest for local council positions. The MGLSD has undertaken mentoring of women leaders at the local government level and initiated the formation of District Gender Forums, and Caucuses for women leaders. These initiatives have also contributed to increased gender sensitivity within the district councils and their capacity to mainstream gender issues.

- *Advocacy campaigns* by women's organisations for increased women's representation. Using the *Women's Manifesto* and *"Women's Minimum Demands to Political Parties and Organisations"* as advocacy tools, the Coalition on Political Accountability for Women demanded for affirmative action with a minimum of 40% women's representation in their party structures. While the numbers were not uniformly attained, the competition for women's votes has expanded the leadership spectrum for women and has brought to prominence a number of women who now hold top executive ranks in the political parties.

- *The decentralization policy* and specifically the creation of new districts to improve local governance and the equitable distribution of resources, has also created new leadership opportunities. Women leaders were able to acquire an additional 24 seats emerging from the newly created districts.

86. Women's presence on the Committees of Parliament has transformed the male dominated character of Parliament. In the 8th Parliament, 5 women MPs head Parliamentary Committees, while 9 are deputies. Of particular importance is their presence on Standing Committees which are critical entry points for addressing gender concerns in government programmes. Women representatives have brought a gender perspective to the legislative process. They have used their positions to draw attention to issues of concern to women such as domestic violence, property rights, gender based violence, reproductive health and have realized some success in ensuring that the laws enacted are more gender sensitive. An example is the Land Act 1998; which contains a clause on spousal consent that increases women's security of tenure.

87. The Uganda Women's Parliamentary Association (UWOPA) has, through its Common Women's Legislative Agenda (CWLA), lobbied for a number of Bills aimed at improving the welfare and respect for the rights of women. The Bills brought forward include the following: *Sexual Offences, Trafficking in Persons, Maternal Mortality, Domestic Violence, Domestic Relations, and Female Genital Mutilation.* UWOPA's efforts in this

[44] Such as NDI, IRI and AWEPA.

respect are also being supported by the presence of some its members on the Association of African Women Ministers and Parliamentarians which voices women's reproductive health concerns.

88. At local government, the Local Government Act, 1997 ensures that a third of all Local Council seats are reserved for women at all levels of the Local Council (LC) structure and has increased the numerical representation of women on local councils.

89. However, although the quota system[45] is operational, women's participation is still below the desired level. A survey of 10 districts showed that women in the districts have mainly been relegated to councillorship positions, with only a handful making it to the Vice-Chairperson Position. There have been only 8 LC III women Chairpersons, and there's only 1 woman who is a district Chairperson out of the 80 Districts.

90. There are general concerns that much as women's representation has grown quantitatively, their presence is not sufficiently felt. Hence, although they are present within the decision making positions, their power and capacity to influence policies for the advancement of women is very limited. It is recognised that UWOPA has attempted to ensure that gender-based barriers to social, economic and political development are eliminated through gender responsive legislation. However, while UWOPA has succeeded in developing a Common Women's Legislative Agenda (CWLA), the delay in getting the Bills passed is indicative of other challenges.

Factors attributed to this state of affairs include:

- The gap between policy and practice on gender equality provisions. The deeply entrenched patriarchal character of the institutions within which the women leaders operate continue to undermine women's efforts to make positive changes for their constituency. An example is the resistance to gender responsive legislation, e.g. the proposed law on domestic relations;
- the absence of well articulated political ideologies and positions on women's issues which have made it difficult for women to use their support during the elections as a bargaining chip with the different political parties;
- the multi-party dispensation which has somehow fragmented the women's voice;
- Stereotyping men as natural leaders; and
- insufficient collaboration between women in leadership and the women organisations which would otherwise lead to the development of a common agenda and concerted efforts.

91. Other barriers to women's participation in the political activities of the country include the poor socio-economic status of women (associated with low literacy, limited exposure and limited resources) which continue to deter many women from standing for electoral office. Government programs such as *the Prosperity for All (PFA)* are geared at improving the low

[45] According to the Local Government Act, one third of the positions of the Executive Committees of the Local Councils are reserved for women.

economic status of communities and women are a specified target group for the various interventions of the PFA.

92. A change from the electoral colleges to adult suffrage has increased the financial burden on women aspirants for the Women District Representative in Parliament. During the last election, women in such cases had to cover 24 sub-counties (whole districts) as opposed to 3 for those contesting for the open constituency seats.

93. Limited understanding of the political processes particularly the transition from the Movement to the Multi-party dispensation and how the latter should work was an issue for many citizens including the women and this created a lot of uncertainty. Women were therefore not able to take advantage of the transition to articulate their concerns as well as make new inroads to broaden their representation. It was observed that women's concerns were not adequately emphasized during the last election campaigns and this resulted in limited integration of their concerns into the political agenda.

94. UWOPA is, however, commended for formulating strategies that will help it overcome these challenges. These include the establishment of roundtables which will facilitate discussions with civil society organisations and male members of Parliament around the CWLA.

7.2 Women's Participation in Peace Building and Reconciliation Efforts

95. The Committee was concerned that many girls and women in the conflict areas have been victims of violence, including abduction and slavery.

It was recommended that the GoU should include women in national reconciliation and peacebuilding initiatives. To this end it was suggested that women from all ethnic groups affected by armed conflict should be included in peace negotiations. It was further proposed that the peace negotiations should include measures of accountability, redress and rehabilitation for women and girls who have been victims of violence, including enslavement in these conflicts.

96. Women's participation in the political life of the country goes beyond elective office and has extended to other spheres, including peace building and reconciliation efforts as stipulated by United Nations resolution 1325(2000).

7.2.1 Progress registered by the State party in Facilitating Women's Participation in Peacebuilding and Reconciliation Efforts and remaining difficulties

97. The GoU has previously supported the efforts of women leaders (e.g. Ms. Betty Bigombe) who initially headed the peace talks (1994/2004) with the Lords' Resistance Army (LRA) to end the conflict in Northern Uganda. Although women have since not enjoyed such high level representation in the Government negotiating team, Government made provisions for women's participation in the Peace Talks in Juba. In addition to the two women directly on the peace team, women were facilitated to attend some of the meetings.

98. These have been backed by CSO initiatives such as the *Civil Society Women's Peace Coalition* which has played an instrumental role in bringing women's voices and issues to

the table through its peace campaigns[46]; and capacity building programmes for women leaders/organisations at the community level. These activities are in recognition of women's crucial role in sustenance of the community during the conflict and in rebuilding the society thereafter.

99. With regards to measures of accountability, redress and rehabilitation for women and girls who have been victims of armed conflict, the efforts in the foregoing paragraph have resulted into attempts to engender the 5 items of the Peace Agenda. Redress for victims of human rights violations is being addressed under Agenda No. 3. Proposals include the use of traditional justice systems (Mato Put) to resolve and settle grievances. It is not yet clear at this point what forms of redress will be available and particularly to those who have suffered sexual violence.

100. GoU in collaboration with its development partners is currently working on different recovery programmes to resettle and rehabilitate the displaced communities in the conflict-affected regions. Special provisions are being made for the most vulnerable groups which include women under the Peace Recovery Development Plan (PRDP) for Northern Uganda. The Ministry of Gender Labour and Social Development has initiated the process of engendering this document; so as to ensure the women equally enjoy the opportunities and benefit from the planned interventions.

101. Challenges experienced in ensuring women's participation include a limited understanding of UNSCR 1325 (2000) at all levels. Experience from the previous rehabilitation programme – the Northern Uganda Social Action Fund (NUSAF) showed that there is a tendency for women to lose the status they have acquired during the times of conflict and return to the subordinate status. Women are not sufficiently consulted nor involved in decision-making processes on the various resettlement programmes. This is aggravated by women's low literacy levels and the cultural norms on women's position; and inadequate co-ordination of women initiatives at the grass root level.

102. Some of these challenges are being addressed by CSO-led initiatives that have facilitated skills training for women leaders, cross learning visits and consultative meetings at community level in a bid to put UNSCR 1325 (2000) into practice.

8.0 Article 8

8.1 International Representation and Participation of Women

103. Low numbers of women in the diplomatic service, particularly in postings outside Uganda was an area of concern for the Committee. Related to this is the small number of Ugandan women working in international organizations.

The GoU was urged to take measures in accordance with Article 4, Paragraph 1, of the Conventions, to encourage women to enter the diplomatic service. In addition the Ugandan

[46] The Peace Caravan and Peace Torch were symbolic of women's solidarity for peace and drew attention to the concerns.

government was advised to introduce measures to encourage women to seek employment in international organizations.

8.1.1 Progress registered by the State party in Encouraging Women to enter the Diplomatic Service and International Organizations

104. While the numbers of women holding international and diplomatic jobs may not have changed significantly since the last status report a number of women have since been appointed to high profile positions in the United Nations System and other regional bodies. Ugandan women now hold the position of:

- United Nations Assistant Secretary-General
- AU Commissioner for Agriculture and Rural Development
- Deputy Secretary General of the East African Community
- Director of the UNDP Gender Team/ Bureau for Development Policy
- FAO Representative in China
- WHO Representative in Lesotho

105. Two other women have been seconded by Government to participate in high profile International Court Tribunals in Sierra Leone and Rwanda. This is perhaps the one area where Ugandan women have more visibility and are enjoying a higher profile than their male counterparts.

106. The reverse is true when it comes to the diplomatic ranks. Women's representation in the higher ranks within the diplomatic service is still low, with only 3 women holding Ambassadorial positions in comparison to 21 men (as of October 2008). Women are more visible in the deputy, middle and lower cadre positions in the country's foreign missions.

107. While the Government of Uganda is generally supportive of promoting women's representation, mechanisms to ensure their adequate representation in the top positions of the Foreign Service are lacking. Perceived weaknesses include informal mechanisms through which potential candidates are identified. These mechanisms which often operate at the political level are male dominated – hence reducing opportunities for capable women. With regards to international representation, the absence of properly established information-sharing and nomination channels to ensure that as many capable women candidates are notified of the available opportunities is also a challenge.

108. It is, however, anticipated that when operationalised, the Equal Opportunities Commission will provide an institutional framework for promoting equal gender representation in diplomatic service ranks as well as international organizations.

9.0 Article 9

9.1 Nationality

109. The Committee was concerned about the discriminatory provisions of the Passport Regulations which required a married woman to get written consent of her husband as a prerequisite to being issued with a passport. In addition the Regulations required a woman to secure the written consent of the father of her minor children before she could include them in her passport.

The Committee therefore recommended revision of the Passport Regulations in conformity with the constitutional provisions on citizenship.

9.1.1 Progress registered by the State party in Amending the Passport Regulations

110. The current status of the law is that children should acquire their own passports to reduce on incidences of child trafficking. Both fathers and mothers have equal rights to acquire passports for their children. In addition written consent from a spouse is also no longer required when applying for a passport.

111. Following the 2005 Constitutional Amendment, Uganda now permits dual citizenship and recognises that a person who is not a citizen of Uganda may acquire the citizenship of another country, while retaining their Ugandan citizenship. The Ugandan Citizenship and Immigration Control (Amendment) Bill has been tabled in Parliament. The new law will operationalize this constitutional provision.

10. Article 10

10.1 Equality in the field of Education

10.1.1 Progress registered by the State party in ensuring Equality in Education and remaining difficulties

Primary Education

112. The Universal Primary Education (UPE) policy has contributed to narrowing enrollment disparities in primary school education. The proportion of girls in primary schools improved from 44.2% in 1990 to 49.8% in 2006.

113. In order to bridge gender gaps in education, UNICEF supports the Girls' Education Movement (GEM) school clubs to increase children's participation and girls' empowerment, as well as the United Nations Girls Education Initiative (UNGEI) camp and community education committees that aim to increase community engagement for education of girls and other vulnerable children.

Secondary Education

114. In a bid to strengthen its program of expanding access to education the Government has introduced the Universal Post Primary and Technical Education Policy which was adopted in 2007. Under this scheme free secondary education is provided by Government.

Tertiary Education

115. Gender equality efforts in tertiary education have entailed implementation of the 1.5 scheme. The scheme was introduced in 1990 in a bid to increase enrolment figures for women at the Makerere University as well as enable more women to enroll in male-dominated courses such as engineering veterinary and human medicine. Under the scheme all female applicants enrolling for undergraduate courses are automatically awarded a bonus point of 1.5. The scheme has contributed to an increment in enrolment of female students from 25% in 1990 to 43% in 2003. The University registered a higher ratio of female to male graduates (51.6%) at the graduation of the academic year 2005/06 where 6,519 students graduated.[47]

116. Makerere University has implemented the Female Scholarship Initiative (FSI) for 7 years (2001 – 2007).[48] The objective of the scheme was to enhance enrolment, retention and academic performance of female undergraduates at the University. The scheme targeted female students who have been admitted under private sponsorship but are unable to finance their studies. During the selection process priority was given to female orphans and those from under – represented and disadvantaged districts from Uganda and from poor family backgrounds. One of the core objectives of the FSI is to increase female enrolment in the science disciplines by reserving 70% of the awards for science disciplines against 30% for the humanities. The Initiative has contributed to increased female enrolment in science disciplines. Between 2001/2 and 2002/03, 233 female students had benefited from the scheme and of these 150 received scholarships to pursue science related courses. [49]

117. However, at primary school level, the dropout rate for girls remains high at 53.5% in comparison to 46.3 for boys. The gender gap is worse in areas affected by conflict in Northern Uganda and Karamoja. This is due to a number of reasons, inter alia, early marriages; pregnancies; absence of gender sensitive sanitation facilities in schools; preferential treatment to boys as opposed to girls in accessing education; family responsibilities; sickness; financial constraints; sexual harassment in the communities and at school; and the absence of life-skills or guidance and education on adolescents' reproductive health and rights.[50]

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[47] Gender Mainstreaming Division, Makerere University (2007) Situational Analysis of the Gender Terrain at Makerere University 2007, Fountain Publishers, Kampala.

[48] Makerere University with the support of the Carnegie Corporation.

[49] Ibid.

[50] Millennium Development Goals; Uganda's Progress Report, 2007.

TABLE VI: ENROLMENT AND COMPLETION RATES IN PRIMARY SCHOOL EDUCATION

	Female	Male
Enrollment figures	48%	52%
Completion	42%	55%
Drop out	53.5%	46.3%

Source: Millennium Development Goals: Uganda's Progress Report 2007

118. Current statistics indicate gender differentials in enrollment for secondary school and retention. For instance, estimated secondary school enrollment for 2005/06 was 900,000; of these 53% were boys and 47% girls. The enrollment figures decreased substantially for girls at higher levels. The number of girls enrolled at Senior Four was 42% while boys were 58%.[51]

119. Uganda adopted the National Strategy on Girl Child Education to improve on retention of the girl child. The Strategy has identified development of gender-sensitive materials; provisions of adequate and separate sanitation facilities for boys and girls in mixed schools; improving quality of education for both boys and girls as well as strengthening governing bodies of schools to respond to the basic needs of pupils (including those of the girl child) as interventions that should improve on retention of the girl child in primary education.

120. A school feeding program has been introduced targeting children in Karamoja and Northern Uganda. The Alternative Basic Education for Karamoja is a context-specific education program that has been adapted to suit agro-pastoralist communities. Under this program children attend schools in the morning or evening hours when they are not required to herd cattle or other household chores. The program has witnessed an increment in enrolment of children.[52]

11.0 Article 11

11.1 Employment

121. The Committee noted the lack of gender disaggregated data on women in employment. The Committee was also concerned about the high rate of unemployment among women, disparities between the wages of women and men, disparities in social security and lack of legal protection for women against sexual harassment at the workplace. In addition the Committee was concerned about the delay in adopting the Draft National Employment

[51] Ibid.

[52] Obligations Unfulfilled: The Rights to Education and Health in Karamoja and Northern Region of Uganda, HURINET, 2008.

Policy and the lack of legislation to operationalise the provisions of Article 40 of the Constitution which protects the rights of persons in employment.

The Committee urged the State party to provide gender disaggregated data on women's participation in the labor market and employment conditions, including wages in the private and informal sectors. The Committee further encouraged the State party to enact legislation to protect the rights of persons in employment which complies with the provisions of Article 11 of the Convention and adopt the Draft National Employment Policy. In addition the State was tasked to introduce temporary special measures in accordance with Article 4, paragraph 1 of the Convention to create employment opportunities for women. The Committee furthermore recommended the introduction of specific legislation with accessible procedures and compensation for victims, and penalties for perpetrators to address sexual harassment in the workplace.

11.1.1 Progress registered by the State party in Eliminating Discrimination in Employment and remaining difficulties

122. Labor legislation passed by the State party contains a number of provisions which comply with the constitutional provisions on economic rights of women. Of particular relevance is the Employment Act[53] which contains a number of provisions that protect the rights of women in employment. These are [54]:

- A broad definition of discrimination, which includes discrimination on the basis of sex in field of employment[55]
- Prohibition of sexual harassment in employment and requiring employers to put in place measures to prevent sexual harassment. The definition of sexual harassment is extensive and includes both express and implied incidences of sexual harassment.
- Prohibition of employment of children.
- Increment of maternity leave from 45 calendar days in the public service and 6 weeks in the private sector to 60 working days for both the public service and private sector. This applies to both childbirth and miscarriage.
- Provision for 4 days' paternity leave.
- A right to return to the same job after maternity leave, even in sickness related to pregnancy and child birth.

123. In line with the new labour legislation, the Ministry of Public Service has revised its Code of Conduct to contain provisions on sexual harassment at the workplace.

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[53] Act 6 of 2006.

[54] Interview with Harriet Luyima, Commissioner of Labor, MGLSD, 24th January 2008; Op.cit at 4.

[55] Discrimination is defined as "any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, and HIV status or disability".

124. Unions played a significant role in advocating for enactment of the Employment Act. This has been followed by sensitization sessions for workers on the provisions of the Act and negotiations for recognition and collective bargaining agreements with employers. All these measures are geared at ensuring that workers can benefit from the provisions of this legislation.

125. Gender disaggregated data generated[56] on labor force and time use reveals a slight improvement on the status of women in labor sector but disparities still exist between women and men as reflected in the tables VII and VIII below. These inequalities include:

- Women are paid less than men in both the private and public sectors; but wage differentials are more pronounced in the private sector where men's wages double those of their female counterparts.
- Women constitute 79% of the labor force in the agricultural sector which is characterized by uncertainty, low returns and yet employees in this sector earn the lowest wages in comparison to other sectors.
- There are more women employed in low paid jobs or sectors of the economy than men.
- Women constitute only a third of all employed persons.
- Women spend 9 hours on care labor activities compared to 1 hour for men per day. Care labor activities have no monetary value attached to them. Care labor activities include cooking, fetching firewood and looking after the young and sick.
- Women in the informal sector are not covered by the social security system and efforts are underway to transform the entire system to increase coverage.

[56] Uganda Bureau of Statistics which conducted the Uganda National Household Survey (UNHS).

Table VII: Distribution of Occupation and Median Income earned by Sex of Household

Occupation %			Income earned ('000)	
	Female	**Male**	**Female**	**Male**
Legislators/Professionals	0.5	1.4	169.0	250.0
Technicians and Associated workers	1.9	3.5	140.0	150.0
Clerks	0.9	1.1	60.0	100.0
Service and Sales Workers	8.9	9.9	30.0	75.0
Agriculture and Fisheries Workers	79.1	61.6	18.1	36.2
Crafts and Related Traders	1.3	5.9	50.0	90.5
Plant and Machine Operators	1.2	3.2	150.0	90.5
Elementary Occupation	5.2	14.4	18.1	30.0

Source: Uganda National Household Survey 2005/2006

Table VIII: Percentage of Labor Force and the Growth Rates (%)

Employment status	**Women**	**Men**
Composition of Labor force	51.4 which is a decline from 52.6	48.6 an increase from 47.4
Labor participation rate	80.9 an increase from 80	83.5 an increase from 80.5
Labor growth rate	2.9	4.4
Employment growth rate	3.6	4.75

Composition of non–agricultural employment	36	53
Unemployment rate	2.1 a decline from 4.2	1.7
Self– employment	40	52
Unpaid Family Worker	50.1	23.5
Permanent employee	2.6	6.5
Temporary/Casual employee	6.4	17.4
Time spent on economic activities (hours)	6	7.3

Source: Uganda National Household Survey 2005/2006

126. Women's low economic status has been attributed to their low literacy levels, limited access to productive assets such as land, credit and other resources.

127. The Employment Act (2006) contains a number of exemptions and shortcomings which limits its scope to offer adequate protection to women in employment. These are[57]:

- Its non–application to the informal sector which is predominantly occupied by women viz. family businesses, domestic work. For example the 2005/2006 UNHS indicated that women constitute 50.1% of the unpaid family workers. This therefore leaves women in the informal sector vulnerable to exploitation.
- Exclusion of the provision on discrimination from particular professions which can justify such 'distinctions, exclusions or preferences in respect of a particular job as inherent requirements of that job'. Such a proviso can be used to justify exclusion of women from given professions.
- Limiting the incidences of sexual harassment that are actionable to those that are committed by an employer or his representative to an employee. This therefore means that incidences of sexual harassment between employees of the same rank are not actionable under the Act. On another front, the provision requiring employers to put in place measures that prevent sexual harassment is only applicable to workplaces with more than 25 employees.

[57] Gender Audit of Key Laws Affecting Women in Uganda.

- Failure to recognise taking time off to care for sick family members as good cause for absenteeism from work. Given that women spend 9 hours on care labor activities, this therefore inevitably means that women in employment face the risk of having their wages reduced or foregone altogether when they take time off to look after sick relatives.

- Failure to provide for measures that would enable breastfeeding mothers who have resumed work to continue breastfeeding during a working day. The Act provides that an employee who works for a maximum of 8 hours is entitled to a break of 30 minutes. Such a break is insufficient to enable a mother get to the place where the baby is and return to work in time. This provision would only be practical if employers provided child care facilities at the work place. However the Act places no such obligation on employers.

128. Further there are challenges in enforcing these laws and guaranteeing safe working conditions due to limited institutional capacity and acute staffing constraints[58]. Small scale firms are experiencing difficulties in implementing provisions of the Employment Act due to insufficient resources. Of particular relevance are the provisions on maternity leave. Such firms find it difficult to offer maternity leave and at the same time employ another person to cover the employee on maternity leave.[59]

129. A National Employment Policy is being formulated. The Policy will serve as a comprehensive framework for employment in the country. It scope is expected to cover different categories of workers, including women, youth, migrant workers, workers living with HIV/AIDS and People with Disabilities.

130. Other policies in place include a National Child Labour Policy and the National Policy on HIV/AIDS in the Workplace. A draft action plan to implement the child labor policy is being finalized, as well as one on Youth Employment. The MGLSD has also embarked on consultations for development of an action plan on HIV/AIDS in the Workplace.

12.0 Article 12

12.1 Equality and access to appropriate health care

131. The Committee was disheartened about the high rate of teenage pregnancy and its implications for girls' rights to education and health. Related to this was the high rate of maternal mortality among teenage girls, particularly in the rural areas, frequently as a result of clandestine abortion.

132. The Committee was concerned about the high incidence of violence against women, such as domestic violence, rape including marital rape, incest, sexual harassment at the workplace and other forms of sexual abuse of women. The lack of a legal and policy framework to address violence against women was also another area of concern. The

[58] Weak supervision and enforcement measures have exposed workers to deplorable working conditions characterized by long working hours, low wages, unfair dismissal, and general mistreatment of workers.

[59] Interview with Lillian Keene, Executive Director, Platform for Labor Action and Susan Acen (Program Officer), 9th February 2008.

continued existence of Female Genital Mutilation in some districts was identified as another area of concern.

The Committee proposed the design and implementation of a national health programme that includes reproductive health programmes designed to prevent early pregnancies and induced abortions in rural and urban areas. Another area for further improvement was the development and implementation of sexual and reproductive health programmes targeting both girls and boys. The Government of Uganda was also urged to provide safe and affordable contraceptives.

12.1.1 Progress registered by the State party in ensuring equality and access to health care and remaining difficulties

133. Women's health continues to be an area of concern and particularly the issues related to women's sexual and reproductive rights which have been aggravated by the HIV/AIDS pandemic. According to the UDHS 2006, the number of women in Uganda who die due to pregnancy complications has declined slightly from 505 in 2001 to 435 per 100,000 in 2006; while the number of children who die before their first birthday has reduced from 88 to 75 per 1000 live births during the same period. Yet while the statistics indicate some improvement, it is almost insignificant in relation to the MDG targets on reducing maternal mortality to 131 deaths per 100,000 live births by 2015.

TABLE IX: STATUS OF REPRODUCTIVE HEALTH

Indicator	1995	2001	2006
Maternal Mortality	506	505	435
Infant Mortality (<1)	81	88	75
CMR (<5)	72	69	137
TFR	6.9	6.9	6.5%
CPR	15%	23%	24%
Adolescent pregnancies	43%	32%	
Unmet FP need	29%	35%	

Source: UDHS

134. The Government of Uganda has put in place a number of measures aimed at reversing these trends. Sexual and Reproductive Health issues are being addressed through an elaborate policy framework that includes: the National Health Policy; the Health Sector Strategic Plan (HSSP II); the National Strategic Framework for HIV/AIDS; the Population Policy; and the Universal Primary Education, Population Policy. Sexual and Reproductive Rights form one of the priority areas under the National Minimum Health Care Package. The core areas of focus include:

- Adolescent Sexual and Reproductive Health.
- Safe motherhood (prenatal, antenatal, postnatal and breast-feeding).
- Family planning.
- Sexually Transmitted Infections, including HIV/AIDS.
- Reproductive Health Cancers (Cervical and breast)
- Gender issues in Reproductive Health (domestic violence, rape and male involvement).

Safe motherhood

135. Emergency obstetric care (EmOC), family planning and skilled attendance are some of the key interventions proposed to further reduce the maternal mortality rates to 300 per 100,000 live births or below by 2010. An Infant and Maternal Mortality Task force established that the main causes of maternal deaths in Uganda are: abortion, anemia, hemorrhage, obstructed labour and infections; which have been caused and or aggravated by: poverty, illiteracy; early/ frequent pregnancies and a poorly- equipped health system.

136. The near universal first attendance at antenatal clinic has continued, although the proportion of women who reach the national target of 4 attendances per pregnancy and those who deliver in health facilities has only marginally improved. These improvements have, however, not been matched with availability of EmOC. A national survey[60] of EmOC in 2003/2004 found an unmet need for EmOC of 86 per cent. Access to basic emergency obstetric care, the main determining factor for improved maternal and neonatal survival remains extremely low at 5.1 per cent nationally, compared to the United Nations recommended minimum rate of 15 per cent.

137. Interventions being taken by the State party to address this situation have included: building a community of skilled health workers with the capacity to support mothers (including traditional birth attendants); strengthening linkages between the communities and formal health care system; mobilising communities on health-seeking behaviour and the extension and improvement of the district health care delivery system. There are on-going efforts to upgrade and equip Health Centres with the necessary drugs and attendant equipment to manage emergency obstetric care, blood transfusions and post-abortion care. National Minimum Health Care package and theatre facilities are only available at Health Centre IV. However, the idea is to use the available resources as efficiently as possible by building a functioning referral system.

138. Related interventions have included integration of reproductive health programmes with the Malaria Control Programme and specifically the inclusion of Intermittent Preventive Treatment (IPT) as part of the ANC package; and promotion and provision of free/subsidized insecticide-treated nets (ITN) to pregnant mothers and children under five, albeit on a very limited scale. However, coverage of IPT is still low, in particular as a result of late utilization of ANC.

[60] Status of EmOC in Uganda, (October 2004).

139. Despite these efforts, Government continues to experience many challenges in ensuring access to quality health services and promoting utilization of key health services. The issue of funding on maternal health issues remains a critical one. Maternal health issues are yet to receive the required level of prioritization at both the policy and implementation levels. Although statistics indicate substantial funding to the health sector, they mask the inequalities in disbursements to the different areas of health care, with the bulk of funds going towards HIV/AIDS activities. For example, while the Ministry of Health needs at least 40 billion UGS annually to reduce maternal and child mortality, it receives only 80 million — which is only 0.2% of the required amount. The sector-wide approach has resulted in less funding for reproductive health today, as most donors who previously supported RH initiatives have joined SWAP, and so they cannot support reproductive health projects. The fragmentation of related RH issues i.e. HIV/AIDS, Population issues, SRH and Safe Motherhood under different bureaucracies has also not helped matters.

140. The health delivery system is particularly inadequate in the rural areas where the decentralization system and autonomy in allocation of resources has not been favorable for women's health issues. There are still huge challenges in relation to securing proper infrastructure, the regular supply of drugs and the recruitment and retention of well-trained health personnel. The situation is particularly bad in the conflict-affected northern Uganda and the Karamoja region. The health indicators in these regions remain way below the national average. For example access to primary health care (PHC) services in Karamoja stands at 7.1% in comparison to 100% in Kampala.

141. Some of the remedial measures being taken to improve health care in these regions and most rural areas include: development of special programmes (Northern Uganda and Karamoja) and the institution of the private partnership policy as a policy strategy for the increased decentralization of service delivery. Measures are being taken to ensure better coordination and collaboration between the Ministry of Health and private, not-for-profit providers (including NGOs, Churches). Traditional and complementary medicine practitioners are yet to be formally included.

142. Another measure being taken to increase resources available for reproductive and maternal health is through synergistic integrated programming. Some success has already been registered with the Malaria Control Programme and the HIV/AIDS programme. The need for additional resources, however, remains critical, in order for Government to improve health outcomes in general, and to meet the MDG goals of reducing maternal mortality. An increase in resources for the Health Sector will enable the sector to adequately equip and staff the health facilities that have been constructed around the country.

143. The Ministry of Health has also made available a drug known as *Misoprostol*, which can prevent women from bleeding after birth. The drug can be accessed at no cost right up to Health Centre IV and will be administered to women who experience haemorrhage after birth.

Family Planning

144. The issue of family planning is of critical importance in light of the high fertility rates (6.7 children per woman) and population growth. According to the World Population data sheet (November 2007), Uganda has the world's third fastest growing population (3.2% per annum) and will, as a result, have the biggest population increase in the next four years. Uganda's population estimated at 30.66 million by mid 2009 will grow to 55.9 million by 2025 and 117 million by 2050; i.e. indicating a 307% increase between 2007 and 2050. It is recognised that Uganda is unlikely to meet its national poverty reduction and MDG goals unless efforts to reduce population growth and total fertility are accelerated in the immediate future.

145. The high unmet need for family planning has led to an increase in unplanned births from 38% in 2000 to 41 percent in 2006[61]. An estimated 775,000 women have unplanned pregnancies each year (approximately 25% of these being adolescents) and hence the high number of induced abortions – estimated at 297,000 per year[62].

146. However, although women want to reduce the number of children that they have, only one fifth of married women (24%) practice birth control. This is due to many factors, including: misconceptions about family planning, lack of information, limited access to services, costs, limited decision-making power on reproductive choices and opposition from male partners.

147. Government aims at reducing the total fertility rate (TFR) from 6.9 to 5.4 and contraceptive prevalence rate from 23% to 40% by 2009 by tackling the problem through different fronts including: integrated reproductive health services; information & education programmes for women and *sensitisation* efforts to increase male involvement in family planning programmes; as well as provision of a range of family planning services and information targeting adolescents.

148. Complementary efforts by CSOs include the vigorous social marketing of family planning services and birth spacing.

149. The correlation between formal education and early pregnancies is well understood. According to a recent study, 6% of young women in school have ever had a pregnancy, compared to 73% of those out of school.[63] The Government is therefore committed to increasing access to formal education through the Universal Primary Education and more recently the Universal Post Primary and Technical Education Policy. It is hoped that these programmes, which will be backed with the National Girls Education Strategy, will increase educational and other livelihood opportunities for girls.

[61] Study by the Family Planning Association of Uganda, 2006/7.

[62] Guttmacher Institute: Unintended Pregnancy and Induced Abortions in Uganda: Causes and Consequences.

[63] Guttmacher Institute, Protecting the Next Generation in Uganda: New Evidence on Adolescent Sexual and Reproductive Health Needs 2008.

Adolescent Sexual and Reproductive Health (ASRH)

150. HIV/AIDS prevention remains a core component of the Government's programmes on ASRH. In terms of policy, the State party is continuing with its *ABC* strategy on HIV/AIDS with emphasis on *abstinence* for the youth. Current measures to promote Adolescent Sexual and Reproductive Health (ASRH) include the *Health Promoting School Initiative (HPSI)* that includes sex education, counseling and life skills. Others include the Presidential Initiative on AIDS Strategy for Communication to Young People (PIASCY) and the Young Empowered and Healthy (Y.E.A.H) Initiative started in July 2004 by the Uganda AIDS Commission to prevent HIV and early pregnancy among school going and out- of- school youth.

151. MGLSD is implementing the Programme for Enhancing Adolescent Reproductive Life (PEARL) program with support from UNFPA. The community-based programme is aimed primarily at out-of-school youth aged 10-24. The approach is multi-pronged with the following aims:

- to create a safe environment where adolescents can engage in recreational activities;
- to create awareness and provide reproductive health counseling and services.;
- to involve parents and religious and community leaders and to sensitize them on the importance of providing such counseling and services.

In fact, the importance of involving parents has been one of the most valuable lessons learned during the course of the programme.

152. There are also a range of media campaigns being led by CSOs[64]. These include the campaign against *Cross Generational* Sex – a key contributing factor to HIV prevalence rates among young women. The campaign will be extended to girls and young women in universities and 50 secondary schools. The Straight Talk Foundation (STF) has also been instrumental in relaying IEC materials on ASRH through newspaper publications, open dialogue, radio programmes in 14 local languages; and the establishment of 1200 *Straight Talk* clubs in communities and schools[65].

153. As the epidemic has matured, the population groups most severely affected have shifted from young, unmarried individuals to older and married or formerly married individuals. The recent HIV/AIDS Sero-Behavioural Survey (2006) indicated a shift in the epidemic from the younger age groups to the 30 – 49 age group which could be an indicator that young people are adopting safe behaviours and practices. There has also been a reported decline in teenage pregnancies from 41 % in 1995 to 31% in 2001 and 25% in 2006.

154. While progress has been registered, the remaining challenge is extending and expanding the availability of ASRH services. This so far has been addressed by Government through pursuing an *integrated* approach – (integrated sexual and reproductive health services) in

[64] Population Services International (PSI).

[65] Straight Talk Campaign in Uganda: Impact of Mass Media Initiatives.

health units, PHC and community programmes as a cost effective means of addressing reproductive health issues. Unfortunately, these are not always user-friendly for the youth and more, therefore, needs to be done in terms of training and sensitizing staff to respond effectively to the adolescent's SRH needs.

155. Another emerging challenge is that of HIV positive adolescents i.e. many of whom acquired the infection at birth. A study[66] conducted indicated that they are a time bomb source of infection. It was noted that this category of adolescents still have knowledge gaps relating to RH, HIV transmission & contraceptive use. The study also revealed that poverty, peer pressure, stigma and the fear of rejection have been a hindrance to disclosure. This calls for tailored interventions to support the needs of these youth, including the adoption of appropriate behavioural skills.

Sexually Transmitted Infections, including HIV/AIDS

156. Statistics from the 2004-05 HIV/AIDS Sero-Behavioural Survey indicated that HIV prevalence among women is higher (8%) than that of men (5%). Currently, HIV prevalence peaks among women aged 30-34 years and men aged 40-44 years, a shift of five to ten years from the early 1990s[67]. The survey also showed a rise in the number of discordant couples (5%). Three fifths of the infected partners in these couples are men. This poses a serious risk to married women, who because of low couple counseling and testing and limited negotiation power for condom use, are continuously exposed to HIV infection.

157. Government measures to address these challenges include the introduction of free STI testing and treatment in all Government facilities. Voluntary counseling and testing (VCT) is also high on the agenda in light of the rise in discordant couples and as a prevention strategy. A communication strategy is being drafted to sensitise the population on the importance of HIV testing and counseling (HCT).[68] In the interim, Government in collaboration with CSOs have invested significantly in VCT centres and are working on making it universally available and accessible.

158. HCT and specifically routine counseling and testing are becoming an integral component of ANC in most health facilities. The State Party is also planning on making HCT a requirement for supporting decisions on getting pregnant among women of reproductive age; and for those already pregnant to avoid transmission to babies. HCT has played an invaluable role in identifying HIV positive mothers in need of special care, support and anti retroviral therapy. Government has fairly successfully introduced the Prevention of Mother to Child Transmission (PMTCT) service package which has reduced the rate of HIV infection of new born babies from 25% in the 1990s to 6% in 2006. At least 60-70%[69]

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[66] Pediatric Infectious Disease Clinic of Mulago Hospital, Uganda/ Institute of Tropical Medicine and Centre for Evaluation and Programme Development, Antwerp, Belgium.

[67] National HIV and AIDS Strategic Plan (2007/8 – 2011/12).

[68] Ministry of Health.

[69] Dr Saul Onyango: Early HIV/ AIDS Testing saves the Baby – Saturday Vision December 1, 2007.

of all pregnant HIV positive mothers now access PMTCT. Figures show that by 2006, 500,000 women were accessing PMTCT and there are plans to expand this number to 800,000 in 2008. A pilot programme is underway in 5 district hospitals where PMTCT services are being expanded to include HIV services and ART treatment to the families of HIV+ mothers.

159. Despite these measures, PMTCT has been challenged by limited uptake of increasingly available services. Failure of some mothers to access PMTCT is due to some limitations in the health care facilities at the lower community level - inadequate and inexperienced health workers, inadequate supply of drugs for opportunistic infections and ART, testing kits and other essential sundries. Inadequate access to IEC messages as well as the fact that many women do not seek early ANC nor deliver at health facilities presents a problem to the programme. Male co-operation, which is vital in realizing PMTCT, is also still lacking.

160. Imbalances in decision-making/negotiating power at the household level, lack of autonomy on RH, low unavailability of women-friendly HIV barrier methods and the absence of legal protection, i.e. against the various forms of gender based violence, continue to pose serious threats to women's protection against HIV and other sexually transmitted infections.

161. Responses to these challenges have included the introduction of female condoms whose distribution has, however, been suspended due to low uptake; as well as vaccine trials carried out in Uganda and 3 other countries on the use of microbicides, which were unfortunately not successful.

Cervical Cancer

162. In Uganda, over 80% of women with cervical cancer are diagnosed in advanced stages of the disease thus making it the leading cause of cancer deaths in the country. Women with cervical cancer account for over 40% of radiotherapy patients in Mulago Hospital.

163. The high costs and inaccessibility of services have weighed down the fight against cervical cancer. Cervical cancer screening is not yet widely available and is mainly restricted to urban centres. Many lower cadre care providers, who form the bulk of staff in upcountry clinics, have not been exposed to its use. The problem is aggravated by the lack of awareness for the need for regular pap smears among sexually active women.

164. The Health Sector is responding to this challenge through utilization of vaccines. Uganda is one of the countries that is involved in a pilot initiative aiming at the vaccination of 10 to 12-year-old girls against the HPV virus, before they become sexually active. There is, however, need for IEC campaigns and low cost screening tools for women above that age. Infact it is paramount that a policy that encourages screening for prevention, early detection and effective treatment of cervical cancer is formulated.

Sexual and Gender-Based Violence (SGBV)

165. SGBV remains both a serious human rights and public health issue for women especially. In Uganda, women are subjected to different forms of gender-based violence, including FGM (which is still practiced in some parts of the country) battery/ assault; defilement; rape and marital rape; which increase the risk of gynecological problems and women's vulnerability to sexually transmitted infections and HIV/AIDS.

Table X: Prevalence of VAW

Sexual and Gender Based Violence	Average	Urban	Rural
Experience of Physical violence	60%	54%	61%
Experience of Sexual violence	39%	31%	41%
Experience of Violence during pregnancy	16%	7%	17%

Source: 2006 Demographic and Health Survey, Uganda

166. Some of the predisposing factors include: the low socio-economic status/ dependency; discriminatory laws and the cultural values, practices and attitudes regarding women in marriage (polygamy, payment of bride price, non -disclosure of marital woes). At the secondary level, the absence of legal protection mechanisms including the absence of law enforcement agencies in some areas e.g. conflict affected regions, has further increased women's vulnerability

Measures to address these predisposing factors and challenges include the following:

167. In addition to provisions under the Constitution, Uganda Gender Policy, National Health Policy, the Land Amendment Act, the Penal Code Act (Cap 120) has recently been amended to cover the offences of simple and aggravated defilement. In addition, it has conferred jurisdiction to try defilement cases to magistrates in an effort to ensure the speedy dispensation of justice. The draft DRB and Sexual Offences Bill are also expected to boost legal protection mechanisms for women.

168. A draft Domestic Violence Bill which seeks to criminalize the different forms of domestic violence and to make provisions for appropriate penalties and civil remedies, has also been prepared by the Law Reform Commission and forwarded to the Attorney General for consideration. It is anticipated that it will be tabled as soon as the attendant processes are completed.

169. Indeed one of the challenges in accessing the legal system continues to be the painfully slow process of law reform and especially in relation to gender sensitive legislation. For example, whereas discriminatory sections of the Divorce and Succession Act (extensively discussed under Art. 15) have been repealed, new laws are yet to be put in place.

170. Government through the MGLSD has taken a number of measures designed to address SGBV in its policies and practices and has registered the following achievements:

- Establishment of an SGBV Reference Group
- Development of a strategy to address GBV (work in progress)
- Inclusion of SGBV in the Minimum Health Care package provided by the MoH
- Development of a training manual, information and emergency kits
- Establishment of a training team on SGBV composed of both government and CSO representatives.
- Generation of Data with UBOS on status of SGBV to support policy interventions

So far training has been undertaken in five districts [70] reporting some of the highest SGBV prevalence rates. 80% of all health workers have received some training and this has led to an increase in the number of SGBV cases being reported to police.[71] Efforts to establish a model SGBV Recovery Centre in Gulu District are underway through a joint undertaking by MGLSD and Ministry of Health.

171. Other related interventions include the implementation of an SGBV project (2006–2010) which aims at increasing access to information, counseling, social support and treatment of and protection against SGBV and other harmful practices.[72] Under this project, community-based media campaigns against SGBV were carried out in the project area constituted by 5 districts. Sensitization seminars at parish level, radio talk shows and advertisements on SGBV were carried out. Increased awareness on SGBV, pre–disposing factors and appropriate steps to take in the event of SGBV are the outcomes associated with this initiative. Community willingness to report cases of SGBV is gradually increasing in the project area, in addition to commitment of local leaders to address SGBV. The project has recently concluded a *study on gender issues in trafficking of human persons* that will inform implementation of the United Nations Protocol on Trafficking in Persons.

172. In addition to these special projects, other measures to address violence against women have included: increasing protection mechanisms through the establishment of the Police Family Protection Units; provision of HIV/AIDS post-exposure prophylactic (PEP) kits at Health Centre III and IV; and capacity building/gender sensitisation programmes for law enforcement agencies.

173. Government is also in the process of re-establishing and strengthening the Police and Judicial services in the conflict affected regions[73] where the incidence of SGBV is extremely high. However, apart from resource constraints which have affected logistical

[70] Training has been undertaken in the districts of Gulu, Kitgum, Pader, Lira, Kapchorwa.

[71] The training has been conducted in the Acholi and Lango regions.

[72] The project is a partnership between the GoU and UNFPA and is being coordinated by the MGLSD.

[73] National Peace, Recovery and Development Plan for Northern Uganda (PRDP).

operations and staffing of law enforcement agencies, attitudinal issues towards GBV particularly from the Police Officers remains a challenge. It is, however, anticipated that this could change if the law that criminalizes domestic violence is passed.

174. The above efforts are complemented by CSO initiatives, e.g. the National Domestic Violence Prevention Initiative, which aims at strengthening GBV prevention at the community level. Some of the CSOs[74] have undertaken integrated projects which include legal literacy programmes, capacity building, legal aid services, counseling services and shelters for abused women. These initiatives have increased the visibility of GBV; mobilised communities including men in the fight against GBV; and strengthened civil-state relations in the handling of survivors of violence.

12.2 Female Genital Mutilation

Progress registered by the State party in Eliminating FGM

175. A proposed law was drafted and presented to Parliament '*The Prohibition of Female Genital Mutilation' Bill*. The Bill defines FGM *as violation or attempted violation of the physical integrity of the female organ, either by total or partial ablation, excision, infibulations or desensitization*. If enacted, it provides that a person found guilty of FGM is liable to imprisonment (7 to 10 years) or liable to pay a fine of no less than 1 m UGX. The Bill is a result of the efforts of the Kapchorwa Local Government, REACH programme and those of LAW Uganda – a CSO that recently petitioned the Constitutional Court to declare FGM illegal.

176. Efforts to eliminate harmful practices, e.g. Female Genital Mutilation (FGM), have focused on awareness campaigns aimed at changing attitudes and eroding its social acceptability in the communities where it is practiced. The anti-FGM campaign spearheaded by the REACH project in partnership with the Kapchorwa Local Government has contributed to a reduction of the practice in some areas of the district from 80% in 1996 to below 10% in 2006.

13.0 Article 13

13.1 Economic and social benefits

13.1.1 Progress registered by the State party in Reducing Prevalence of Poverty among Women and remaining difficulties

177. Poverty in Uganda has a predominantly female face. 31% of the Ugandan population lives below the poverty line – the majority of whom are women. Research studies have shown that women experience severe constraints, including limited access to the key factors of production: land, capital as well as several legal and administrative obstacles that constrain

[74] CEDOVIP, Mifumi, Raising Voices, SC (U), ActionAid, LAW-U.

their level of entrepreneurship. Women frequently lack the necessary information and connections to procure sizeable business opportunities.

178. Since the last status report, there has been considerable progress in making poverty reduction policies and programmes more gender responsive. A significant breakthrough was achieved through the Uganda Participatory Poverty Assessment Process (UPPAP, 2002) which provided evidence of how differently women and men perceive and are affected by poverty; and therefore made the case for the integration of gender perspective in order to increase the effectiveness of the existing poverty reduction policies.

179. The process has been progressive and the State party's efforts to strengthen gender integration in its policies have included the establishment of a PEAP Gender Group (PEAP/GG); gender reviews of Uganda's poverty eradication initiatives; and development of PEAP sector guidelines for gender mainstreaming. The analysis from these processes informed the PEAP revision exercise and the PEAP 2004/2008 for the first time explicitly recognised gender inequality as a key poverty issue, causing both deprivation and inefficiency.

180. Efforts are also underway to increase women's access to credit and hence their ability to engage in medium sized enterprises. The Government is therefore planning to expand rural financial services under its Rural Development Strategy and specifically the Prosperity for All Programme. The aim of programme is to promote economic growth and improve household incomes through the establishment of Savings and Credit Cooperatives (SACCO) at every sub-county.

181. In addition to efforts to amend the Land Act and increase security of occupancy, plans are also underway to establish a Land Fund which Government hopes will enable households to acquire land and increase landholding to enable more productive engagement in agriculture. The modalities of how this Fund will be accessed are still at an early stage — but women are expected to benefit from it.

182. A Gender and Growth Assessment Coalition[75] supported by the World Bank identified a number of legal and administrative barriers experienced by women with regards to investment in Uganda. In addition to those listed in other sections, these include: barriers to formalizing businesses; difficulties in complying with tax administration requirements; labor laws that do not take into account the specific gender needs of women; and limited access to commercial justice due to women's lack of information about their legal rights and access to mechanisms that can satisfactorily enforce them.

183. Members of the Coalition have since supported groups of women in the small, medium and large businesses through: entrepreneurship training programmes; mentorship

[75] Council for Economic Empowerment of Women of Africa, Uganda Chapter, (CEEWA – Uganda) Uganda Investment Authority (UIA), Private Sector Foundation Uganda (PSFU), Uganda Association of Women Lawyers (FIDA-U), Uganda Women Entrepreneurs Association Limited (UWEAL), Uganda Women's Network (UWONET) and the Africa Women's Economic Policy Network (AWEPON).

programmes; tax clinics; development of business guides and product development guides; as well as awareness creation on the labour laws, banking policies and products.

184. The Uganda Women Entrepreneurs Association Limited also has: i) a Girls Entrepreneurship Programme (GEP) — an initiative aimed at inspiring young women to engage in businesses of their own; (ii) the Access programme that aims at building capacity of women entrepreneurs to participate effectively in export trade and (iii) partnership with a bank (DFCU) whereby loans are made easily available to SMEs run by women.

14.0 Article 14

14.1 Rural Women

185. The Committee expressed concern about the situation of rural women in particular the prevalence of customs and traditional practices in rural areas that prevent women from inheriting or acquiring ownership of land and other property.

The Committee recommended the adoption of measures that ensure that rural women benefit from policies and programs in all spheres, as well as participate in decision–making, have full access to education and health services and credit facilities. The elimination of all forms of discrimination with respect to the ownership, co-sharing and inheritance of land and the introduction of measures to address negative customs and traditional practices which affect full enjoyment of the right to property by women was another recommendation.

14.1.1 Progress registered by the State party in Improving the Socio–Economic Status of Rural Women and remaining difficulties

186. GoU programs target primarily the rural population where the majority of the poor, including women, live. A number of measures have been implemented by Government in the agricultural, education, health sectors, and rural financial services as well as in the political sphere to address the low socio-economic status of rural women.

Agricultural Sector

187. Gender mainstreaming activities have been implemented in the agricultural sector to ensure that women participate in and benefit from agriculture on an equal basis with men. Gender mainstreaming in the PMA is discussed under Art. 3.

188. A number of the PMA components have undertaken work on mainstreaming gender in their pillars. However, special focus will be on NAADS which is regarded as the most advanced in terms of implementing gender mainstreaming initiatives. These include:

- an operational framework that takes cognizance of gender disparities in resource distribution and women's relative high work load compared to men,

- Policy documents that incorporate gender equity and focus on gender targeting; As a consequence 60% of the members of 5,005 registered farmer groups are women;
- Reviewing enterprise selection to ensure that NAADS service providers target farmers producing food crops. One of the gender gaps in NAADS service delivery was that NAADS service providers tended to focus on cash crops rather than food production which was the responsibility of women.

189. The National Agricultural Research Policy needs to be strengthened to respond more adequately to women farmers' technological needs. Its focus has been on research to produce crop varieties for higher yields or for technology that is multi-functional for large-scale farming. In order to respond to women farmers' needs NARO has focused on developing labor-saving technology which takes into consideration women's multiple roles.[76]

190. Private sector service providers have also played a key role in addressing gender inequality issues in agriculture. Their areas of focus have been providing women with agricultural inputs and animals, agricultural machinery, skills development and knowledge. Women participating in these projects have benefited in a similar manner as those participating in NAADS activities. Factors constraining their participation in these programs are similar to those identified in the NAADS program.

191. A review of implementation of the NAADS program in selected districts established that women farmers have benefited from the program in terms of skills development, exercising control over proceeds from sale of agriculture proceeds and increased production and income.[77] However, women are yet to benefit comprehensively from NAADS for a number of reasons:[78]

[76] Interview with Carol Laker, former Social Development Advisor, PMA Secretariat, 14th February 2008; interview with Francis Muhanguzi, Social Development Officer, NAADS Secretariat.

[77] The Extent of Gender Mainstreaming in the Implementation of the NAADS Program, Council for Economic Empowerment of Women of Africa – Uganda Chapter (CEEWA), June 2006.

[78] Improving NAADS to benefit Women better, New Vision, 14th November 2007; PMA Gender Mainstreaming Guidelines.

- **Gender unresponsive and insensitive enterprise selection process:** Enterprises promoted by NAADS are long term and require long gestation periods whereas women farmers are involved in and gain more from short–term agri-businesses. The method of selecting enterprises to benefit from NAADS involves a show of hands which limits women farmers' ability to exercise a free choice particularly when their choice differs from that of their spouses. As a consequence priority enterprises preferred by women are left out.

- **Limited gender capacities of NAADS service providers to integrate gender in their work:** Many NAADS service providers tend to perceive gender as the number of women and do not focus on gender relations at the household level.

- **Limited participation of women in a farmer and procurement committees:** This is reflected in the choice of district enterprises which do not meet the needs of women in terms of time required and costs of production.

- **Gender imbalance in NAADS service providers:** NAADS service providers are predominantly male yet cultural practices do not permit women to interact with males hence restricting women's participation in NAADS activities.

- **Gender insensitive information dissemination strategy:** The information dissemination strategy employed by NAADS does not take into account women's low literacy rates and time poverty.

- **Discriminatory cultural practices:** These tend to deny women the right to access and control land and other resources for production.

192. The NAADS Program has been revised to include a component on provision of inputs. Under the new arrangements 30 farmers will be selected per sub-county and at least 6 per parish. A key recommendation is that gender balance should be ensured in the selection of farmers in order to ensure that women benefit from the revised NAADS. Structural changes in the revised program include setting quotas for representation of women at in NAADS structures.

14.2 Education

14.2.1 Progress registered by the State party in addressing the low literacy levels of rural women

193. The Functional Adult Literacy Program (FALP) implemented by the State Party seeks to enhance adult literacy rates in Uganda.[79] The Program proposes to improve adult literacy through provision of numeracy and literacy skills to Ugandans aged 15 years and above who have no or little education. In view of the high illiteracy rates among women, the Program lays special emphasis on women. Currently the Program has a national coverage and its course content has been modified over the years to reflect the emerging learning needs of the targeted population.[80] 70% of participants at these classes are women who have been empowered in the following ways [81]:

- Improved literacy and numeracy skills as demonstrated by their ability to read and write letters, read road signs
- Improved self-confidence exemplified by their participation in village meetings and local development initiatives
- Improved general welfare in terms of personal and household hygiene
- Enhanced ability to manage businesses and these have recorded an increase in profits

194. In spite of the achievements registered by the FALP, gender variations exist in the literacy rates – female literacy rates are estimated to be at 63% while those for men stand at 76%.[82] Some of the reasons for this situation are the competing demands on women's time which constrains their participation in FAL classes and limited resources to extend geographical coverage of FALP.

195. The State Party recognises the importance of conducting gender awareness sessions during FALP classes to encourage sharing of roles and domestic chores at household level.

14.3 Health

14.3.1 Progress registered by the State party in enhancing access to health services for rural women

196. A number of interventions have been undertaken by the GoU to enhance access to health services for rural women. These include establishment of Health Centres II-IV to enhance physical access, stocking Government health facilities with core essential drugs all year round and an increase in the number of trained health workers. An offshoot of these

[79] MGLSD in partnership with Icelandic International Development Agency.

[80] The two additional courses are English for Adults and a Small Business Course which were included in the FALP program in Kalangala District.

[81] Hróbjartur Árnason, External Evaluation of ICEIDA Support to the Implementation of FALP in Kalangala District, 2005.

[82] UNHS 2005/2006.

interventions has been an increase in the number of people using health care facilities from 40%-45%. Of particular relevance to rural women is the slight improvement in the percentage of deliveries in health care centers from 25%–29%. However it should be noted that there is a general preference for private clinics in comparison to Government health centres due to presence of professional staff, provision of credit facilities and short distances in private clinics. Adolescents, however, prefer public health facilities to private clinics because they are accessible and their services affordable.

197. Gender disparities still exist between men and women with regard to accessing health care facilities. The gender variations in the proportion of the population that falls sick are a reflection of the gender inequalities in accessing health care facilities. The UNHS 2005/06 estimates that women constitute 43.9% of the sick population in rural areas in comparison to men who account for 39.4%. From the table below distance to health facilities, unavailability of drugs and high treatment impact on women's access to health care facilities in higher proportions compared to men. On the other hand, unavailability of staff and negative staff attitudes are more keenly felt by men than women.

Table XI: Per cent Distribution of Persons that Fell Sick and did not Visit Government Health Facility by Residence, Reason and Population Category

Reason for not [redacted] health facility	Children		Adults		Elderly	
	Female	**Male**	**Female**	**Male**	**Female**	**Male**
Facility too far	40.3	39.6	40.2	39.0	49.7	44.9
Drugs not available	29.8	31.1	27.3	29.9	15.7	22.0
High cost of treatment	6.0	5.6	6.7	5.9	12.8	11.4
Sickness mild	10.9	10.3	9.9	9.6	5.2	5.5
Staff not available	1.4	1.5	1.8	1.5	0.6	2.6
Negative staff attitudes	2.0	2.1	2.5	2.7	3.1	3.2
Long waiting time	4.4	4.2	4.4	4.7	4.4	3.4
Others	5.2	5.6	7.2	6.7	8.5	6.8
Total	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**

Source: Gender Disaggregated Data for Health Sector (The National Service Delivery Survey, 2004), September 2007

14.4 Rural Financial Services

14.4.1 Progress registered by the State party in Improving Rural Women's Access to Financial Services

198. Since rural women constitute 79% of the agricultural labor force, a number of measures have been taken by GoU and development partners to facilitate equitable access to agricultural financing. The Microfinance Outreach Plan (MOP) is a Government initiative that seeks to facilitate the spread of sustainable financial services to the rural communities. Available information indicates that majority of borrowers of Micro Finance Institutions (MFIs) are women who are mainly engaged in commercial activities and are resident in urban areas. This therefore means that rural women are highly underserved by MFIs and are therefore unable to expand their livelihood opportunities.

199. A number of reasons have been advanced for the current status quo. Lack of micro finance service providers providing tailor made financial products targeting the agricultural sector. MFIs regard agriculture as a high risk investment sector due to long gestation periods and its high dependence on weather vagaries. This perception is reflected in the high interest rates and short term borrowing periods characteristic of MFIs.[83]

200. Care Uganda with support from DFID, Government of Austria, NORAD and Danida has been implementing a Village Savings and Loans Association (VSLA) which seeks to meet the financial needs of the rural poor particularly women. Under this scheme members of a group (25 – 30) contribute savings and lend only group members for a specified period of time. The Association also has an insurance fund facility which group members can access to meet emergency family issues. A number of features associated with the scheme have made it attractive to the rural population. These include:

- Accessibility and transparency
- Simple loan procedures
- Flexible repayment terms
- High returns on savings
- Tailored to the needs of rural women
- Frequent opportunities to save, withdraw savings and borrow

201. The VSLA has been credited with empowering women in terms of financial management and improved standard of living. Female group members have learnt how to save and have been able to diversify to animal husbandry.[84]

[83] Strengthening Linkages between Gender and Poverty Analysis in Uganda.

[84] Boosting Access to Rural Financial Services, Daily Monitor, 27th February 2008.

202. A gender policy for the micro-finance sector in Uganda is being developed[85]. The proposed policy will among other objectives seek to address issues of access, utilization and management of credit and financial credit among women farmers.

14.5 Measures taken by the State party to address Negative Customs and Traditional Practices which affect full enjoyment of the Right to Property by Women and remaining difficulties

203. The Ministry of gender Labour and Social Development formulated the Uganda National Culture Policy which, among other objectives, seeks to mobilise communities to take action on cultural practices that impinge on human dignity. The Policy goes further to provide for key actions to be taken to realise this objective. Copies of the Policy have been distributed to all districts and municipalities in the country. A strategy and action plan for the policy is currently being developed.

204. The MGLSD currently faces limitations with regard to financial and human resources to oversee implementation of the Policy. It is hoped that this situation will be addressed given that social and cultural development constitute one of the 10 working papers of the National Development Plan. This is an opportunity to allocate more resources and reinstatement and recruitment of Cultural Officers at district level.[86]

15.0 Article 15

15.1 Equality before the Law

Enhancing access to justice for women

15.1.1 Progress registered by the State party and remaining difficulties

205. A number of measures have been taken by Government to develop the capacity of justice agencies to address gender-based obstacles in accessing justice. Constitutional guarantees on non–discrimination of women are enforceable by competent courts as provided for in Art. 50 (1) of the Constitution of the Republic of Uganda 1995.[87] The Constitutional Court has been successfully petitioned to repeal laws that discriminate against women.[88]

206. The Justice Law and Order Sector (JLOS)[89] Sector Investment Plan II (*SIP II 2006–2010*) lays down a policy framework which can go a long way in bridging the gap between justice delivery agencies and the poor and marginalized particularly women. The SIP II has among its objectives: *to foster a human rights culture across JLOS institution; to enhance access to justice for all particularly the poor and marginalize; to enhance community involvement in JLOS.*

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[85] CEEWA.

[86] Interview with Pamela Batenga, Ag Principal Culture Officer, MGLSD, 29th January 2008.

[87] These courts include Magistrates courts, High Courts, Constitutional Court and the Supreme Court.

[88] Op. cit.

[89] JLOS institutions include UPF, UPS, MIA, DPP, Judiciary, JSC, MoJCA, ULRC, MGLSD (Probation Services), MoLG (Local Council Courts) and the UHRC.

Envisaged actions to address gender- based obstacles in the justice delivery system include:

- De–concentration of JLOS institutions such as the Judiciary and the Directorate of Public Prosecutions (DPP) characterized by the construction of courts and Resident State Attorney offices, recruitment of staff and purchase of equipment
- Expansion and strengthening the statutory legal aid system to improve financial access to justice for the poor and marginalized
- Addressing technical barriers to accessing justice through the development of information materials, institutionalization of court users' committees, strengthening staff capacity to adequately respond to gender issues and providing interpretation services for those not proficient in court language

207. Geographical de–concentration of JLOS institutions such as the Judiciary and DPP has enhanced physical access to justice through construction of courts and offices for Resident State Attorneys, Police stations, Prisons wards in the districts, increasing the number of high court circuits and recruitment and posting of judicial officers and purchase of equipment such as cars and computers. Special attention has focused on Northern Uganda given the impact of the conflict on the justice system. Support (financial resources) from the Office of the Prime Minister (OPM) under the Northern Uganda Rehabilitation Program to the High Court in Gulu resulted into a reduction of the case backlog (cases that have delayed in the justice system for 2 years or more) from 500 cases to 200 cases in 2007.

208. A slight improvement has been noted with regard to the number of women obtaining legal redress. Findings of a baseline study[90] on demand, use and access to JLOS services in Uganda indicated a higher proportion of urban women (40%) in comparison to men (36%) expressing satisfaction with the quality of justice. The reverse is true in the rural areas where women's access to justice is still a going concern.

209. Part of the problem could be attributed to limited gender capacity across JLOS institutions. The other could be the high costs of litigation. Another challenge within the JLOS institutions is the delay to develop a Gender and Access to Justice Strategy, the limited capacity of the gender focal persons and the inability of the JLOS working groups to adequately address *access to justice* issues for poor women within their respective mandates[91].

[90] A National Integrated Household Baseline Study on the Demand, Use and Access to JLOS Services in Uganda, 2007, The Steadman Group.

[91] Interview with Evelyn Edroma, Senoir Technical Advisor, JLOS Secretariat; Rachel Odoi, Technical Advisor, Commercial Justice, 24th January 2008.

Table XII: National Perceptions on JLOS institutions

Perceptions	Members of the Public
Satisfaction with Police response to crimes reported	40% dissatisfied 57% very or somewhat satisfied
Bribery and corruption	85% (Police and related branches score highest)
Fairness	43%
Efficient	21% (mainly at magisterial level)
Awareness of JLOS institutions	99% (Police scored highest, followed by local government bodies)
Accessibility and affordability	81% Police scored highest, followed by local government bodies)

Source: A National Integrated Household Baseline Survey on the Demand, Use and Access to JLOS Services in Uganda (Draft Report), JLOS, 2007

210. Local Council Courts (LCCs) are other dispute resolution fora that can be frequently utilized by poor women and men to resolve disputes relating to child maintenance, domestic violence, marital disputes and land disputes.

Table XIII: Community perceptions on how LC courts have ensured access to Justice

Perceptions	*Men*	Women	Youth	Total
Accessible	35	28	27	90
Cheap	19	17	21	47
Fast	16	19	22	57
Open all hours/available	6	6	6	18
They are the government	16	7	9	32
Approachable	11	12	9	32
Conciliatory	23	25	17	65
Gender Sensitive	2	1	3	6
Advisory	7	6	1	14
Knowledge	17	10	11	38
Referrals to higher authorities	4	5	10	19
Total	**156**	**136**	**136**	

Source: Joint Survey on Legal Aid Providers and Local Council Courts, UNDP/UNCDF, LABF, 2006

Notwithstanding their positive ratings, LCCs have sometimes fallen short of effecting justice on account of gender biases and a limited appreciation of the principles of natural justice.[92]

211. Other measures to improve access to justice by bodies such as the UHRC include the establishment of tribunals, regional offices and provision of legal representation to facilitate the investigation of complaints of human rights violations.[93] Gender disaggregated data of the complainants registered at the Commission's offices shows that more males than females registered complaints as indicated in the table below.

Table XIV: Gender disaggregated data on complaints registered at UHRC

REGION	FEMALE	MALE
Headquarters	125	179
Gulu	59	56
Soroti	14	150
Moroto	40	20
Jinja	76	101

[92] Ibid.

[93] Article 52 (a), Constitution of the Republic of Uganda.

Mbarara	40	82
Fort Portal	40	38
Total	**394**	**626**
Percentage	**35%**	**55%**

Source: 9th Annual Report, Uganda Human Rights Commission, 2006

However the absence of disaggregated data on successful applications makes it difficult to ascertain to what extent these initiatives have effectively responded to women's complaints.

212. The National Association of Women Judges (NAWJ) has been engaged in building capacity of judicial officers to use international instruments when deciding cases involving discrimination against women and or violence against women.[94] Judicial officers who have attended the training have observed that it has improved their ability to appreciate gender biases and deliver gender sensitive judgments. Female litigants and witnesses are no longer perceived in a gender neutral manner.[95] Unfortunately, financial constraints have limited the Association's capacity to increase coverage of the training program across JLOS. This notwithstanding, the initiative has a lot of potential for increasing women's access to justice.[96] The Association has embarked on another training module which will build capacity of judicial officers to appreciate the gender and human rights dimensions of HIV/AIDS. It is hoped that this training will strengthen the capacity of judicial officers to effectively address challenges posed by the epidemic.[97]

213. Government agencies have also been involved in providing legal aid. These include:

- The Ministry of Justice and Constitutional Affairs avails funds for the State Brief Scheme administered by the formal courts. Under this scheme, accused persons who are unable to hire an Advocate are provided with one at the cost of the State. The scheme is restricted to criminal trials.
- The Community Liaison Office of the Police Force conducts legal awareness and sensitization of communities. During a joint survey on legal aid and LCCs, this office was identified as the most visible form of legal aid in the communities.
- The Police Child and Family Protection Unit handles children and family matters.
- The Probation and Welfare Office intervenes in child welfare issues.

214. The importance of legal aid cannot be over-emphasised in increasing women's access to justice. Legal aid services are regarded as more affordable in comparison to formal courts. Efforts to improve its provision have included: the establishment of the Legal Aid Basket Fund (LABF)[98] which is credited with supporting initiatives that seek to eliminate

[94] This has been undertaken under the Towards Jurisprudence of Equality Project (JEP).
[95] Interview with Stella Amabilis, Magistrate Grade I, Mubende.
[96] Interview with Lady Justice Leticia Kikonyongo, Deputy Chief Justice, 11th February 2008.
[97] Interview with Joyce Kavuma, Personal Assistant to Deputy Chief Justice, 11th February 2008.
[98] This is a donor basket fund which aims to improve access to adequate and affordable legal aid.

discrimination against women; and formation of legal aid networks e.g. the Legal Aid Service Providers Network (LASPNET) [99], in order to build synergies, minimise duplicity of services and increase efficient use of the available resources.

215. There are, however, challenges including staffing constraints, logistical challenges and delays in the formal justice system which have limited their effectiveness. In addition, the provision of legal aid has been carried out in a fragmented and haphazard manner without much regard to national coverage or vulnerable groups. This situation is attributed to lack of legal, institutional and policy framework at the national level to regulate the provision of legal aid services; and lack of a mechanism to enforce provision of pro bono services.[100]

216. Currently the Law Council has commenced the process of developing a regulatory framework for the provision of legal aid and pro bono services in Uganda.

217. There is also need to expedite the process of developing the Gender Policy for the Justice Law and Order Sector together with the Access to Justice Strategy Gender which should provide a comprehensive framework to address gender-based obstacles in accessing justice.

16.0 Article 16

16.1 Equality in Marriage and Family Life

16.1.1 Progress registered by the State party in ensuring Equality in Marriage and Family Life and remaining difficulties

218. Enactment of the Domestic Relations Bill (the first Bill contains provisions on Civil, Christian, Hindu and Bahai Marriages whereas the second Bill provides for the establishment of Khadi Courts to deal with matters relating to Islamic Marriages and Divorce) and the Sexual Offences Bill have the potential to improve women's legal position in marriage relationships. (see Article 2 for details) The DRB no longer recognises payment of bride price as an essential requirement for a valid marriage and does not require the return of bride price on dissolution of marriage. These are positive developments given that bride price is a predisposing factor to violence against women.

219. There have however been some positive changes in relation to women's rights, particularly during the dissolution of marriage. In 2003, the Constitutional Court nullified discriminatory sections of the Divorce Act which required different grounds for men and women. More recently, the Constitutional Court nullified Criminal Adultery and some discriminatory aspects of Succession Act (see Article 2 for details).

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[99] Member NGOs are Fida-U, PDAU, LAC, FHRI, UGRC, Young Christian Lawyers Association, Platform for Labour Action and Justice and Rights Associates.

[100] Pro bono services are legal representation services provided by Advocates to accused persons who are unable to hire the services of lawyers. The State pays the advocates' fees in such situations.

17.0 Conclusion

220. Since the last progress report Government of Uganda has made considerable progress in designing and implementing measures to eliminate discrimination against women. These have entailed putting in place a legal and policy framework, undertaking interventions designed at improving women's access to justice, women's socio-economic status and addressing gender inequalities prevalent in Ugandan society. That notwithstanding, a number of challenges remain; slow law reform process, cultural and traditional practices that discriminate against women and the girl child, low literacy levels among women that impede their access to social services and their participation in economic activities, high levels of prevalence of poverty and violence against women. Government is cognizant of these challenges and is committed to addressing them given its commitment to respecting, promoting and protecting the human rights of women and according them full and equal dignity with men.